

Introduction

All people, including youth with and without disabilities, have rights and responsibilities. Giving young people straight answers and good information can go a long way in helping them make good decisions. That's what this book is about – giving young people good information about their rights and responsibilities.

Sometimes information isn't enough. Having an adult to talk things over with, give suggestions, and get guidance from is also very important. We encourage young people reading this book to find a trusted adult to talk to. This may be your parent/guardian or other family member. It could also be someone of your religious faith, or a teacher, school counselor or coach. It may even be a doctor or therapist.

We all need people to talk things over with, and we encourage YOU to find your support person.

This handbook helps explain North Carolina laws and the rights and responsibilities of youth. It shouldn't be considered legal advice. Only lawyers can give legal advice. The information is current as of July 2005.

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Information included in this handbook was taken from the following resources:

AHEAD: Association on Higher Education and Disability

Full Life Ahead: A workbook and guide to adult life for youth and families of youth with disabilities

Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920

National Center on Secondary Education and Transition Parent Brief: Promoting Effective Parent Involvement in Secondary Education and Transition, February 2004

North Carolina Exceptional Children's Parents' Handbook, NC Department of Public Instruction, Exceptional Children Division, 2004

Section 504: The Law & Its Impact on Postsecondary Education, American Council on Education

Southeast Regional Resource Center (SERRC), Auburn University Montgomery

System of Care in North Carolina Handbook for Parents, NC System of Care PEN-PAL and NC FACES PROJECTS

Your Employment Rights as an Individual With a Disability, U.S. Equal Employment Opportunity Commission

Youth Rights Handbook Second Edition, Created and Written by the American Civil Liberties Union of New Jersey, 2003

Youth Rights and Responsibilities: A Handbook for North Carolina's Youth, State of North Carolina, NC Department of Administration, Youth Advocacy and Involvement Office

How to Use this Handbook

This handbook is designed as a resource book. You do not have to read the entire book at one time. It is divided into sections so that you can easily find the information you need, when you need it.

Review the index below to find the topics you are interested in reading about. The index lists the topics that are addressed. **Keep the handbook as a resource** that you can refer back to again and again.

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Section I: Self-Advocacy

All people have a right to control their daily lives as much as possible. Youth should be involved in determining the plans and actions that affect their lives. However, with these rights are responsibilities for carrying out the plan and working with the other people involved. This includes parents/guardians, teachers, counselors, therapists and doctors. When youth take control of their lives, they learn to take responsibility for their behavior and face the results of their choices.

What is self-advocacy?

Webster's Dictionary defines advocacy as "arguing or pleading for a cause or an individual." Self-advocacy means taking action to protect your rights or beliefs, to change a policy or the way someone is treating you. As a self-advocate, you have the power and the voice to change your own life.

Becoming a Self Advocate

What are some examples of self-advocacy?

- Discussing your goals/plans with adults in your life
- Participating in team meetings regarding your health and education
- Getting teachers to write you recommendations for college applications
- Asking your caseworker to do something for you
- Telling someone that you are being abused or bullied
- Filing a complaint when you are unfairly treated at work
- Telling a judge what you want
- Asking a lawyer for help

What are the first steps I can take to become a self-advocate?

It is important for you to know and understand what "rights" are addressed by the different laws discussed in this book. For you to speak up for yourself and advocate for yourself, you must know and understand the laws and your rights.

How can I begin to make my own decisions?

- Ask parents/guardian to establish a checking or saving account for you to manage
- Help select your own clothing
- Help with grocery shopping and meal planning
- Ask to be a part of family discussions like vacations, etc
- Listen and observe as your parents/guardians as they make decisions
- Participate in planning and leading your Individual Education Program (IEP) or Child and Family Team (CFT) meetings
- Role-play IEP/CFT meetings with your parents/guardian ahead of time
- Ask your parents/guardian if you can invite someone to the meeting for support



How can I become a better advocate?

It's as easy as **KAT**: KNOW-ASK-TELL

KNOW

- Know your rights.
- Know the special education laws.
- Know your roles.
- Know what your local System of Care can do to help.

ASK

- Ask questions.
- Ask people to explain abbreviations or words you don't know.
- Ask for help.

TELL

- Tell people about your strengths (things you are good at).
- Tell people what you want (goals).
- Tell people what you need.
- Tell people what is working and what is not.¹



Communication

How will good communication help?

Good communication skills are important for advocacy. Good communication helps you to tell others about your ideas and feelings, wants and needs. It gives you power and control.

What if I'm not good at expressing myself?

You don't have to be the world's best speaker to be a good communicator or advocate. What you need is to have your facts and be self-confident. If you know your rights and what you want, you will do fine. Here are a few tips:

Be prepared

- Have a clear idea of what you want to get done.
- Think about what you want to say and how you will say it.
- Write down what you want to say and bring it with you.
- Get your records in order. These could be records from the school, the doctor or therapist, or these could be your own notes.
- Talk to someone to find out how the meeting will run.
- Bring an advocate (someone who supports you) if you need help.

Remember to listen to others

Be ready to listen and understand the point of view of other team members.

Keep your emotions in check

You will communicate better if you stay calm and stick to the facts. Even when you are angry or upset, you should be polite.



¹ System of Care Handbook for Parents

Talk about issues, not people.

A good rule is to say nothing personal like “I don’t like you” or “you are lying.” There may be people you don’t like or trust, but you should not attack them. Stick to the issues. Talk about things that can be changed.

Being Assertive**How can I be assertive?**

You can be assertive by honestly saying what you want, need or believe in a way that is respectful. An assertive person attacks problems, not people.

Will people think I’m rude if I’m assertive?

To be assertive doesn’t mean you have to be rude, abusive or loud. In fact, rude people are aggressive and not assertive. Assertive people calmly and clearly let others know what they are thinking.

Section 2: Youth Rights and Responsibilities

Public Education

As a young person, you spend much time in school. It is therefore important for you to understand both your rights and responsibilities while there. School rules are developed to protect you and to provide you with the best possible education.

Requirements for Going to School

Who has to go to school?

North Carolina Law states that persons from the age of 7 through the age of 16 must attend either private or public school. Students who are home schooled are considered to be attending private school. Charter schools are public schools.

What could happen if you don't go to school?

State law requires that the person who should be in school may be taken to juvenile court for truancy. Truancy is a word used to describe frequent, unexcused absences from school. A social worker may be asked to investigate why the student has not been in school. Parents may also be taken to court on criminal charges. If they are found guilty or plead guilty they are usually fined by the judge and ordered to make sure the student attends school regularly.

The Rules in School

Who makes the rules?

Local Boards of Education develop rules for schools. These rules should create an environment that supports learning. The rules should also protect the freedoms guaranteed by the Constitution of the United States. In addition, the North Carolina State Department of Public Instruction also develops rules that govern all schools.

School Disciplinary Procedures

Each school system must have written policies about discipline of students that attend school in that system. Copies of the policy must be made available to students and their parents at the beginning of the school year. Students who receive a copy of the rules in a Student Handbook are expected to read and to abide by the rules. Sometimes individual schools in a school system also will have policies.

What happens if a student breaks the rules?

A number of penalties might be given to the student or students who break school rules. Some are:

1) In-school suspensions

Students in these suspensions are not in their regular classrooms, but are still at school in a room with the supervision of a teacher.

2) Out-of-school suspensions

Students in these suspensions are not permitted to come onto school property while they are suspended. If they come onto school property, they could be arrested for trespassing.

Long-term suspensions and year-long suspensions.

A long term suspension could be for a semester, for a school year, or even for a full calendar year (365 days), depending on how serious the conduct of the student was. These suspensions are often used for weapons, drugs, or similar offenses.

Expulsion (Kicked out of school)

An expulsion means that a student is permanently out of school in that system and may not return. Usually, expulsion does not occur except for the most serious of offenses. The principal of the school generally must get approval from the superintendent of schools, and the Board of Education for that school system before an expulsion occurs.

What are the rights of a youth who is being suspended or expelled?

If a youth is to be suspended for 10 days or less, the school must provide an explanation. They must present the evidence and allow the youth to present his/her version of the situation.

For any suspension longer than 10 days or for an expulsion, the youth and the youth's parents have the following rights:

- The right to written notice explaining the charges and punishment;
- The right to a hearing conducted by an impartial school administrator;
- The right to be told ahead of time the date of the hearing;
- The right to see and copy any documents to be used at the hearing;
- The right to have a record of the hearing;
- The right to a decision based only on the evidence shown at the hearing;
- The right to appeal the decision to the local school board; and
- The right to appeal the school board's decision to the District Court.

There are also possible rights to an attorney and to question witnesses.

What is corporal punishment?

Corporal punishment is the use of a hand, strap, paddle, ruler, etc. on the student's body to cause pain. North Carolina law permits corporal punishment in schools. Local Boards of Education may decide not to permit it. The way to find out whether corporal punishment is permitted in a school district is to ask for a copy of the policy of the Board of Education. If a school system permits corporal punishment, it must have a policy that says:

- Corporal punishment may not be done in the presence of other students.
- Students must know the conduct that can result in corporal punishment being used.
- Only a teacher, substitute teacher, principal or assistant principle may administer corporal punishment. The punishment can only be administered in the presence of any of these persons or in the presence of a teacher assistant or student teacher.
- Before corporal punishment is administered, the school staff member who is the witness must be told the reason for the corporal punishment and the student must be present when the witness is told.

- The student's parent must be notified AFTER (not before) the punishment has been administered.
- If the parent makes a request, the person who administered the punishment must give the parent a written explanation, and the name of the second school official who was present.

May students who have special needs and who have an IEP (Individualized Education Program) be suspended?

Yes. There are no rules against suspending students who have disabilities. Students with disabilities do not have any special legal protection until they are suspended for more than 10 days in a school year.

Do schools have to provide an education to suspended students during this period of time?

The only rule is that whatever a school system does for regular education students who are suspended, it must do for students with disabilities.

Do students with disabilities who are suspended for more than 10 school days in a school year have any special rights?

Yes, under federal law, students with disabilities cannot be denied educational services when they are suspended for more than ten school days during a school year. Many factors go into what these services must be. The rules of special education discipline are very complicated. Details may be found by going to the website of the North Carolina Department of Public Instruction at www.dpi.state.nc.us, and then select the Exceptional Children Division.

The best information is found in a booklet entitled *Procedures Governing Programs and Services for Students with Disabilities*, usually just known as the *Procedures*. Because the federal law changed in 2005, this booklet will be updated. Another source is the *Handbook of Parents' Rights*, which is also on the DPI, Exceptional Children, website and may be downloaded from there.

What are manifestation determination reviews?

Students with disabilities are generally entitled to have a manifestation determination review (MDR) when they face long suspensions. An MDR looks at whether the behavior of the student and the disability are related. Usually a student with disabilities whose conduct results from the disability or disabilities cannot be suspended. But there are special rules that deal with weapons, drugs, and conduct that causes serious bodily injury. A school system has the right to protect students from other students who are dangerous. Even if a student with disabilities cannot be suspended because of the connection between the behavior and the disability, the student may still be prevented from returning to the same school and may be put into an alternative school or some other setting, including receiving services at home.

Services for Youth with Special Needs

What is IDEIA?

IDEIA or IDEA 2004 is a federal law. The letters stand for Individuals with Disabilities Education Improvement Act. This law entitles students who are identified as having one (or

more) of thirteen specific disabilities a free appropriate public education (FAPE) by having and Individualized Education Program (IEP) in the least restrictive environment (LRE).

Who are students with disabilities according to IDEIA?

The areas of eligibility, as listed on an IEP, are as follows: autistic, behaviorally-emotionally disabled, deaf-blind, hearing impaired, multihandicapped, mentally disabled (includes students who are educable mentally disabled, severe/profound mentally disabled, or trainable mentally disabled), orthopedically impaired, other health impaired, specific learning disabled, speech-language impaired, traumatic brain injured, developmentally delayed (students through the age of 8), and visually impaired. Students who are pregnant, though not considered students with disabilities for the purpose of having an IEP, also have some specific rights under North Carolina law.

What is the least restrictive environment (LRE)?

IDEIA, also known as IDEA 2004, requires that students with disabilities receive their educational program and services in the least restrictive environment. This means that as often as possible, students with disabilities should have the opportunity to be with other students without disabilities. Sometimes a disability is so severe that a student may need one on one assistance in a small group setting that is difficult or impossible to provide in a regular education classroom with numerous students.

What is “appropriate”?

The term refers to the guarantee, under both federal and state law, that a student with an IEP will have a program and services that meet his or her INDIVIDUAL needs.

Understanding Individual Education Programs

What is an IEP (Individualized Education Program)?

An IEP, or Individualized Education Program, is a written plan developed in a meeting of the parents, school staff members, and the student (if old enough). The purpose of the IEP is to outline the student's needs and goals that will be worked on. The IEP also must tell what kind of classroom the student will attend and why.

Who gets an IEP?

Students who have needs that have been diagnosed and that have been evaluated and determined to need special education services are eligible to have an IEP.

Who attends the IEP meetings?

IDEIA contains specific information about who should attend IEP meetings. Remember that a student's parent or parents, as well as the student, are the most important persons at an IEP meeting. Parents are experts on their children, and their opinions and input should be respected.



Mediation

What if the parent and the student (when old enough to participate in IEP meetings) do not agree with decisions of the school system?

IDEIA provides rights to challenge decisions of the school system. An excellent source of information for families is *Parents Together*, which can be obtained from the Governor's Advocacy Council for Persons with Disabilities at no cost. Another source of information is *The Handbook on Parents' Rights*, a handbook that is given to parents yearly, usually at IEP meetings or when they get written notice that an IEP meeting is being scheduled. Another copy of this handbook may be requested at any time. When parents and school systems disagree, mediation may be requested or the family may file a written complaint with the Department of Public Instruction (DPI). All of the information about how to go to mediation or to file a complaint is on the website of DPI, Exceptional Children Division. Forms are available to be downloaded from the website.



Is there ever a possibility of a lawsuit?

A special kind of lawsuit known as a “due process” may be filed at the Office of Administrative Hearings (OAH). There is information about this kind of lawsuit in *The Handbook of Parent's Rights*. Also, at the website for OAH, found at www.oah.state.nc.us is a form that may be used to file special education lawsuits. The best advice for anyone considering filing a lawsuit is to consult with an attorney before filing. School systems always have lawyers providing them with legal advice. The Governor's Advocacy Council has several attorneys who are skilled and experienced in special education matters. The intake line for GACPD is 1-800-821-6922. Not everyone who calls will get an attorney as sometimes the attorneys have full caseloads or sometimes the attorneys may feel that there are other ways to reach agreement.

Section 504 of the Rehabilitation Act of 1973

What is Section 504?

Section 504 is a civil rights law. It protects students with disabilities who attend a school that receives money from the federal government (such as public schools) from discrimination that is based on a disability or disabilities.. Some students are eligible for a 504 Plan even if they do not qualify for an IEP. Students have either an IEP or a 504, not both.

What is considered a disability under Section 504?

The person must have a physical or mental impairment that substantially limits one or more major life activities. Persons who have a history of this kind of limitation or persons who are considered to have such limitations are protected by Section 504. Examples of major life activities include walking, hearing, speaking, breathing, and learning.

How does a youth qualify for a 504 Plan?

All school systems should have a policy for evaluating and identifying students who may be eligible to have a 504 Plan. The best way to learn more is to contact the 504 coordinator, a school administrator or guidance counselor for more information.

How can a 504 Plan help?

A person who is in a wheelchair and attends regular classes might need to use the elevator to get to the second floor of the school. A 504 Plan could specify that the student is allowed to have a key and use the elevator. It could also state that the student must have a special kind of desk in the classroom.

Section 3: Transitioning From High School

Life after high school can be very exciting. However, to transition to work or college requires planning. If you have a disability, there are special things you should know.

An important step in planning for a successful transition is the development of the Youth Transition Plan (ITP). An ITP is available only for students enrolled in special education and who have an Individual Education Program. Other students, even those with a 504 Plan, are not eligible to have a Transition Plan.

The IEP Transition Planning Process

Who should participate in IEP meetings when the Transition Plan is discussed and developed?

You, your family members, teachers and other school staff are among the persons that should be at the IEP meetings dealing with transition. According to IDEIA or IDEA 2004, anyone who might play a role in your transition plan should also be invited. This might include people from school-to-work transition programs, local social service agencies, counseling programs, adult services, medical care providers and advocates.

What is the responsibility of the school in my IEP transitioning planning?

In North Carolina, the transition process begins when a student with disabilities, who has an IEP, is 14. Under federal law, the IEP team must begin planning no later than the first IEP that is in effect after the student reaches the age of 16. When appropriate, a student even younger than 14 may be invited to the IEP meeting. The IEP must contain a list of what instructional services and supports are needed for transition. The plan should state what needs to be done and specific ways to measure if those steps have been taken.

What if I am not disabled and I am not performing at grade level?

In North Carolina, all students performing below grade level are entitled to a Personalized Education Plan (PEP). Students who score a 1 or 2 on their end of grade (EOG) or end of course (EOC) test or students who are at risk of academic failure can get a PEP to obtain a sound basic education.

What is PEP?

PEP is a written educational plan for those students who have been identified as at risk of academic failure. The PEP should focus on the action that is required for the students to reach their full potential. The PEP must include a diagnostic evaluation, focused intervention strategies and performance benchmarks. The PEP must also include monitoring strategies to assist parents and teachers in evaluating that a student's PEP is actually working. All resources provided in the PEP, including transportation, are made available to students free of charge.



Youth Role in the ITP Planning Process

When should you begin thinking about your plans for after high school?

You need to begin thinking and discussing with your parents, counselors and friends about what you want to do as an adult before your first ITP meeting takes place.

What is my role in the transition process?

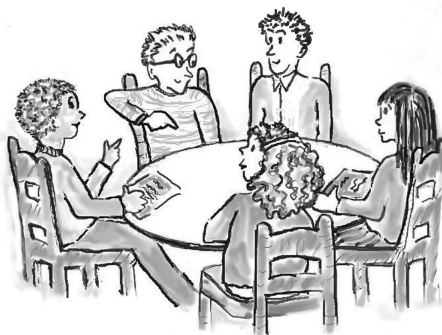
You are the most important person involved in the transition process. You can help lead all aspects of this transition process. You must be invited to attend any meeting held to discuss planning or transition services and supports. The transition plan must be based on your individual needs, choices and preferences, with goals that reflect your interests now and your hopes and dreams for after high school.

What are some steps I can take to prepare for the ITP planning process?

- Complete interest inventories to identify your interests, skills, abilities and aptitudes as they relate to employment.
- Use your school's career center to identify possible careers and find out what education and training are required.
- Do volunteer work or entry-level jobs in your field(s) of interest. Ask about internships.
- Observe and interview adults who perform the type of work that interests you.
- Visit training institutes and colleges. You can do this on the Web to learn about entrance requirements. This will help you choose the necessary classes in high school.
- Learn about your rights under the Americans With Disabilities Act (ADA) as they apply to work or post-secondary education, since they are not as protective as those under IDEIA.
- Know your rights under the law for work and continued education.

What community resources are available to help me in the transition process?

Most communities have various resources to assist you with the transition process. Your school transition coordinator and guidance counselor should know about resources in your community. For job listings, you may contact local youth employment programs. Local vocational centers offer training in hundreds of occupations. These centers include Vocational Rehabilitation Services, Job Corps, adult education programs and community colleges. The phone numbers will be listed in the phone book. Case managers, service providers, family, friends and neighbors are also possible sources of information about available resources.



Section 4: College as an Option

Planning for College

If you want to attend college you should start planning early, probably as early as middle school, and definitely by your first year in high school. For students with disabilities, this process requires extra planning and goal setting. A good first step is to talk with the school guidance counselor who should be able to help in researching the educational and skills requirements for college, vocational training or career options. Some schools host career days where you can discuss those options with representatives of colleges, universities and employers. Some high schools even plan tours/visits to college and university campuses.

Are there other places I can get information about universities and schools?

Information on North Carolina's public and private colleges, universities and community colleges can be found at the State of North Carolina's homepage at www.ncgov.com. Click on NC Agencies and then click on Education. The Federal Youth Aid Information Center can be contacted by calling 1-800-433-3243. Also, use the public library and Internet as resources to help you in your search. Another good source of information is the NC College Foundation Website. The address is <http://www.cfnc.org>.

What steps can I take to learn more about specific colleges?

After deciding on colleges or universities that are of interest, you may want to write to those colleges for a college catalog and an admissions application. The catalog provides detailed information on the policies, curriculum, admission requirements, financial aid, etc. You can also call to schedule a tour and time to get your questions answered. The admissions office usually handles these appointments. Another good source of information is the NC College Foundation Website. The address is <http://www.cfnc.org>. Moreover, most schools have detailed websites with much of the same information you can obtain via the mail. You should also check out the disability services provided by that school.

Will I need to take the Scholastic Aptitude Test (SAT) in order to meet the entrance requirements of the college or university I choose?

Yes. All universities with the exception of community or vocational colleges require that all people applying take the SAT and achieve a certain score. Before taking these exams, you should talk to your teachers or counselor to make sure you receive necessary accommodations.

What kind of diploma or exit documents will qualify me to apply to college?

When a student leaves high school there are different types of diploma or certificates he/she can receive. It is important for you to know the difference in these documents at least before the 9th grade.

Diploma

To receive a High School Diploma, there are three types of requirements that students must meet: credits, course of study and tests.

Certificate of Achievement

To receive a Certificate of Achievement, students must satisfy all state and local graduation requirements, but are not required to pass the competency tests. These students can participate in graduation exercises.

Graduation Certificate

Students with disabilities who do not meet the high school diploma requirements will receive a graduation certificate. They will be allowed to participate in graduation exercises if they successfully complete 20 course units by general subject area and complete the requirements of their Individualized Education Program.

Graduate Equivalency Document (GED)

To receive a GED, students must complete the Tests of General Educational Development, a series of five tests. It is equal to a high school diploma. Many colleges will accept scores on the GED.

To attend a college or university you will need a high school diploma, but you can attend a local community college or vocational schools without a high school diploma.

Paying for College

How will I pay for college?

Many colleges or vocational schools may cost more than you and your parents can afford. It is very important to learn about various types of financial assistance available for paying for college.

You might need a combination of grants/scholarships, loans and work-study. A Financial Aid Administrator (FAA) determines the combination of financial aid you will be able to get at the college or university applied to:

Grants and Scholarships are often called gift aid, since they are not repaid or worked for. Need is usually the determining factor. Scholarship recipients may have to meet other criteria, such as academic achievement or outstanding ability in athletics or the arts.

Educational Loans must be repaid, usually after college graduation. The state, federal government or colleges themselves are usually responsible for the funding (providing money). These loans have a low interest rate. They are usually interest-free while you are in school.

Student employment or work aid involves the student working at a campus job, usually 10 to 15 hours a week, to earn his/her aid.

What are the rules about financial aid?

Aid from programs must be used for educational purposes only and you must reapply from one year to the next. If you transfer from one school to another, the aid (money) does not automatically go with you.

What are the most important steps in applying for financial aid?

- Obtain the application
- Apply early and meet the deadlines
- Complete the application properly
- Check the status of the application after you have submitted it
- Be sure you understand which parts of the aid has to be repaid
- Keep a file and stay organized

Accommodations for College Students with Disabilities

Do I have to identify myself as being disabled when I apply to a college?

No. Once you are admitted, you must identify yourself as a person with a disability in order to receive a reasonable accommodation for academic or other services under the Americans with Disabilities or Rehabilitation Act.

Are universities and colleges required to provide accommodations to students with disabilities?

Yes. Larger universities or colleges usually have an office that serves students with disabilities. However, when it comes to academic requirements, the college is not required to lower their standards in terms of the essential requirements of your educational program or to lower their quality standards. In order to receive services, you must know what type of help you will need. You also need to have the written paperwork to show the diagnosis of your disability from a doctor or other health care provider.

What are some examples of accommodations I could ask for?

- Books on tape
- Note takers
- Interpreters
- Readers
- Text enlargers
- Braille
- Early registration
- Extended time for tests and exams
- Isolated testing situation
- Permission to audio or videotape lectures
- Modified calculators

What are my responsibilities and what are the college's responsibilities for getting accommodations?

The Student's Responsibility

1. **Identify** which office handles disability related requests.
2. **Register** with that office (at least two months before school begins).
3. **Provide documentation** (evaluations, school or medical records, letter from doctor) diagnosing my disability.
4. **Request accommodations** in a timely manner.
5. **Discuss your needs** with teachers.

The College or University's Responsibility

1. **Provide** the necessary help (accommodations) to student's request for accommodations, or modifications needed by the student.
2. **Ensure** that the accommodations provided allow the student equal access to academic learning opportunities and other activities, services and facilities offered by the school.



Sections 5: Work as an Option

If you choose to go to work after school, there are many vocational (work) training programs available. Your school Guidance Office and the yellow pages of the telephone book can provide some information on possibilities.

Choosing a Career

What are my career options?

There are a few jobs that do not require training beyond high school; however, education is increasingly important to higher pay and advancement. Also, you need to talk to your parents and counselors realistically about your abilities and impairments to seek out careers that will allow you to utilize your strengths.

Where can I find information about choosing a career?

Many local public libraries have resources for college and career planning, such as the Occupational Outlook Handbook, the Dictionary of Occupational Titles, the College Planning Guide, as well as computerized career search programs.

Employment

What are the different types of employment and supports?

There are many types of employment you might consider. If you have an IEP Team, they should help you figure this out.

Full or part-time employment

These are jobs in the community that you might find by yourself using want ads in the newspaper, family, friends or other sources. These jobs pay at least minimum wage of \$5.15 per hour. They may also include benefits such as health insurance, sick leave and vacation.

Supported employment

This is a type of special employment for people with particular disabilities. A job coach and/or others will help you learn the skills you need to keep a job. It will be real work, in a regular work place, with pay and support that continues as long as you need it.

For you and your family, the benefits can mean a long-term secure career with opportunity for advancement, and that provides needed supports for as long as necessary.

Volunteer work (YMCA, Senior Citizen Center, etc.)

This is work that you would do without pay. You can get experience to add to your resume (record of work history and education) and job skills that can help you get a paying job later.

Internships

This is a unique opportunity that combines school study with planned and supervised career-related work experience. You work as a non-paid employee receiving academic credit for work experiences.

Armed Forces

Every male must register for selective services when he turns 18 years old. This is the way in which our government keeps a list of names of men whom they might need in case of a national emergency requiring Armed Forces. The forms for registering are available at local post offices. There is a fine up to \$250,000 and possible prosecution and jail time for those males who do not register.

There are many benefits available to military members, ranging from medical care, special pays, tax advantages, and the Base Exchange and Commissary. To become a member of the United States Armed Forces, you must either be a U.S. citizen or in the United States on an immigrant visa. Persons in the United States on a tourist visa do not qualify. Other basic requirements are:

- You must be under the age of 34;
- You must not have more than two dependents (people who depend upon you for support;)
- You must have proof of age;
- You must be a high school graduate or have completed secondary education twelve grades);
- You must be able to pass mental and physical tests

Vocational Rehabilitation

Does Vocational Rehabilitation help with locating jobs?

The state Vocational Rehabilitation Agency is a job training and placement organization. The agency assists in:

- | | |
|--------------------------------|--|
| • Job training | • Career counseling |
| • Assistive technology | • Supported employment and job coaches |
| • Coordinating needed services | • Adult education |

How can I qualify for Vocational Rehabilitation?

Vocational rehabilitation is an adult service agency, so you must apply for their services and meet their requirements. Your school transition counselor should help you with this.

What are the benefits for employers to hire youth with disabilities?

For the employer, advantages could include long-term, reliable, honest and capable workers for labor needs. It also provides tax benefits, public relations, community involvement, and improves company morale.

Job Interviews

What things can I do to prepare myself?

- Begin a summer job program
- Look for internships
- Begin to develop a resume and job interest file. This file can include letters of recommendation from teachers, coaches and clergy.

What do I need to know about job interviews?

A job interview is a meeting where the employer will talk to you about the job.

He or she will ask about:

- Your skills
- Your ability as a worker
- Ways you might benefit his/her company

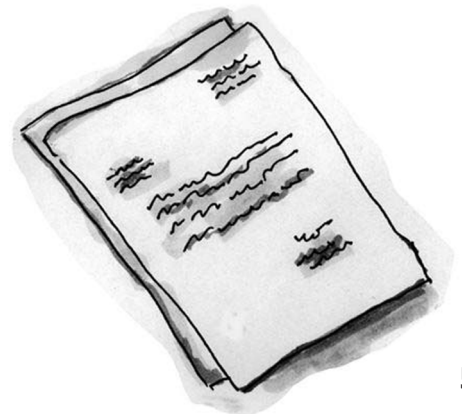
The employer's purpose is to:

- Find out as much as possible about you
- Determine how well you might fit in the job
- Determine how well you might get along with the other workers

Your purpose should be to show the employer that you are “the best person for the job.”

How can I prepare for the interview?

- Find out the purpose of the business or company so that you can ask good questions about the job you want.
- Practice talking about what you do well (your strengths) so that you sound confident, but not like you are “showing off”.
- Practice talking about your weaknesses in a realistic but positive way, in case the employer asks you what you think they are
- Take your social security card, driver's license, your resume or other papers you might need if you are hired.
- Dress neatly. Your clothes should be clean and neat.
- Practice filling out the application before the interview. Know all your personal information and how to spell the words correctly.



What should I do at the interview?

- Arrive five to ten minutes early
- Greet the employer with a firm handshake and a smile
- Do not chew gum, slouch or smoke
- Turn off your cell phone
- Look the employer in the eye
- Show the employer that you are sincere about wanting to work
- Wait until the employer mentions salary and benefits before you ask
- Watch for signals that tell you the interview has ended
- Remember to thank the employer for talking with you, shake hands again and leave quietly

The Americans with Disabilities Act (ADA) in the Workplace

What is the Americans with Disabilities Act (ADA)?

This is a law that makes it illegal to discriminate in the recruitment, hiring, promotion, discipline and training of a qualified individual with a disability.

Which employers are covered by the ADA?

All employers, including state and local government employers, with 15 or more employees.

Am I protected by the ADA?

If you have a disability and are qualified to perform the essential functions of the job with or without a reasonable accommodation, the ADA protects you from discrimination on the basis of your disability. The ADA also protects you if you have a history of a disability, or if an employer believes that you have a disability, even if you don't.

How do I prove I have a disability?

To be protected under the ADA, you must have documentation of, or be viewed as, having a major impairment (disability lasting longer than six months). This impairment must significantly limit or restrict a major life activity such as hearing, seeing, speaking, walking, breathing, performing manual tasks, caring for oneself and learning or working.



How do I prove that I am qualified for the job?

First, you must meet the employer's requirements for the job, such as education, employment experience, skills or licenses. Second, you must be able to perform the essential functions of the job with or without reasonable accommodation.

What are essential functions?

Essential functions are the basic job duties that you must be able to perform on your own or with the help of a reasonable accommodation. An employer cannot refuse to hire you because your disability prevents you from performing duties that are not essential to the job.



Reasonable Accommodations

What is “reasonable accommodation”?

A reasonable accommodation is any change or adjustment to a job or work environment so a qualified applicant or employee with a disability can participate in the job application process. These changes would allow the employee to perform the essential functions of a job, or to enjoy benefits and privileges of employment just like employees without disabilities. For example, reasonable accommodation may include:

- Providing or modifying equipment or devices;
- Job restructuring;
- Part-time or modified work schedules;
- Reassignment to a vacant position;
- Adjusting or modifying examinations, training materials or policies;
- Providing readers and interpreters; and
- Making the workplace readily accessible to, and usable by, people with disabilities.

Is an employer required to provide reasonable accommodation when I apply for a job?

Yes. Applicants, as well as employees, are entitled to reasonable accommodation. For example, an employer may be required to provide a sign language interpreter during a job interview for an applicant who is deaf or hearing impaired, unless to do so would impose an undue hardship.

Should I tell my employer that I have a disability?

If you think you will need a reasonable accommodation in order to apply or to perform the essential job functions, you should inform the employer that an accommodation will be needed.

Do I have to pay for a needed reasonable accommodation?

No. The ADA requires that the employer provide the accommodation unless to do so would fundamentally alter the operation of the employer's work process, cause an undue financial burden (e.g. a rare occurrence) or pose a health or safety risk to you or other employees. Except for health and safety risks, if an undue financial burden is alleged, the employee must be given the choice of providing the accommodation or paying for a portion of the accommodation.

Should a disability be revealed if there is no need for accommodations?

If you don't need accommodations, and your disability is hidden, it might be best not to share that you have a disability, because of the potential stigma or biased assumptions that may result.

What employment practices are covered?

The ADA makes it unlawful to discriminate in:

- recruitment
- hiring
- job assignment
- pay
- lay off
- all other employment related activities
- firing
- training
- promotions
- benefits
- leave

Can an employer ask about a disability during the application process?

No. An employer cannot ask you if you are disabled or ask about the type or severity of your disability. An employer can ask if you can perform the duties of the job with or without reasonable accommodation. An employer can ask you to describe or to demonstrate how, with or without reasonable accommodations, you will perform the duties of the job.

What things are illegal for an employer to ask?

Questions like, do you take any medications, do you have a disability, have you ever collected workman's compensation, have you collected disability, are illegal to ask.

Can an employer require medical examinations?

No. An employer cannot require you to take a medical examination before you are offered a job. If a job offer is made, an employer can say that the offer is good only upon passing a medical exam. You cannot be made to take an exam unless everyone else applying for that job must also take the exam.

Can an employer require me to tell about my medications?

No. If an employer requires a drug test, some medications may appear in the results of the drug test. It would be best to be prepared to tell about your medications only when asked, after a drug test reveals something.

Can an employer not hire you because the exam shows a disability?

No. An employer cannot reject you because of information that shows up on an exam, unless it would prevent you from performing the essential job functions, even with reasonable accommodations.

Can an employer lower my salary or pay me less than other employees doing the same job because I need a reasonable accommodation?

No. An employer cannot lower your salary or pay you less than other employees in similar positions because of needed accommodations.

Does an employer have to make non-work areas used by employees, such as cafeterias, lounges or employer-provided transportation, accessible to people with disabilities?

Yes. The requirement to provide reasonable accommodation covers all services, programs and non-work spaces provided by the employer. If making an existing facility accessible would be an undue hardship, the employer must provide a similar facility.

If the health insurance offered by an employer does not cover all the medical expenses related to the disability, does the company have to obtain additional coverage?

No. The ADA only requires that an employer provide employees with disabilities equal access to whatever health insurance coverage is offered to other employees.

Does my supervisor have to know about my medical conditions?

No. All employee medical records must be kept confidential and maintained in separate, locked medical files. Your supervisor or manager should only be notified about your medical condition as needed to provide you reasonable accommodations or protect you or your fellow workers safety or health.

What if I think that I'm being discriminated against?

If you think you have been discriminated against in employment on the basis of disability, you should first contact your employer's personnel office to file a written grievance or complaint. It is possible that the issue can be resolved there or through an internal mediation/negotiation process. If that fails or you have reason to believe going through your internal grievance process will not work, you should immediately contact the Equal Employment Opportunity Commission (EEOC). A charge of discrimination generally must be filed within 180 days of the alleged discrimination. However, to protect your rights, it is best to contact EEOC promptly if discrimination is suspected. You can find the EEOC in the phone book. Remember you are protected from retaliation by your employer for filing either an internal grievance or formal EEOC complaint.

Section 6: Youth Employment

You may be ready and eager to work to earn your own money and gain experience. However, there are certain rights and responsibilities you should know about. Laws govern the employment of youth under the age of 18. These laws limit the hours of work and types of jobs that youth can perform. By law people under age 18 must get a Youth Employment Certificate or "work permit" before the first day of work.

Employment

What if I am under 14 years old?

If you are under 14 you can't be employed, with the exception of farming jobs or as actors or performers in motion pictures, theatrical, radio or television productions. You may also perform work such as completing minor chores around private homes or casual baby-sitting.

What if I am 14 or 15 years old?

Between the ages of 14 and 15 years you may work outside school hours in non-manufacturing jobs such as office, retail, food service and gasoline service station jobs.

You can't work in processing, mining or in any workroom or workplace where goods are made. You may not operate most power-driven machinery, including lawn mowers, lawn trimmers and weed cutters.

Are there exceptions to this rule?

Yes. If you are legally no longer required to attend school because you graduated, were expelled or are supporting a child you do not have to follow this rule.

Rules about Work Hours

What are the specific hours that 14-15 year olds can work?

North Carolina's law limits the hours and times of day that 14 and 15-year-olds may work. Between 7 a.m. and 7 p.m. – except between June 1 and Labor day when the evening hours are extended to 9 p.m.

- They must not work during school hours;
- No more than 3 hours on a school day (including Friday);
- No more than 8 hours on a non school day;
- No more than 18 hours during the week when school is in session;
- No more than 40 hours during the week when school is not in session;

Youth under the age of 16 must be given at least a 30 minute break after five straight hours of work.

What if I am between 16 and 17-years olds?

The minimum age for employment in North Carolina is 16. You may be employed in any occupation other than those declared dangerous and/or harmful. No one under 18 who is enrolled in school may work between 11:00 p.m. and 5:00 a.m. if there is school the next day. This rule can be ignored if the parent/guardian and the school principal give written permission.

Employment Certificate (Work Permit)

Is it necessary to have a work permit to get a job while under age 18?

Yes. If you are between 14-17 you are required to have a work permit (employment certificate) prior to getting a job. Even if you are married, you still have to follow this rule.

Do I need a work permit for any type of job?

No. A work permit isn't needed for agricultural (farm) work, baby-sitting, serving as a companion, a newspaper carrier or as a page in the government or volunteer work. The county department of social services can answer questions regarding which jobs need work permits and which jobs do not.

How can I get a work permit?

You can go online at <http://www.nclabor.com/wh/ycertif.htm> and download a work permit form, call the Wage and Hour Bureau at either 919-807-2796 (Raleigh) or toll-free (NC only) 1-800-NC-LABOR (1-800-625-2267) or the local department of social services.

What if I change jobs?

If you change jobs, you must get a new work permit that specifically names your new employer.

Must I have a Social Security card in order to get a job?

Yes. The applications for a Social Security cards are obtained from the local social security Office. You will need the application, an original birth certificate, and one other form of identification.

Income Taxes

Why do employers withhold (take out) money from my paycheck?

By law, employers may be required to take money (withhold money) from people's paycheck. All money withheld must be clearly stated on the pay stub. Several common types of withholdings are for social security, federal taxes and state taxes. Other money may be withheld for other reasons like savings, insurance, etc. These can't be withheld without your agreement.

What is taken out of my paycheck for state and federal taxes?

The abbreviations on paycheck stubs explain how much money was withheld and where it went.

Social Security and Medicare taxes (FICA) – this money is taken out and put into a Social Security Account and paid back when you retire.

Federal unemployment taxes (FUTA OR OASDI) – this tax is part of the federal and state program that pays for unemployment compensation to workers who lose their jobs.

Federal income tax withholding (FITW) - indicates federal income tax withheld. The amount of money withheld depends on how much is earned and how many dependents or deductions are claimed.

North Carolina state taxes - indicates earnings withheld for the State of North Carolina's income tax.

Do I have to file a tax return?

If money is withheld (taken out of a paycheck) for federal or state taxes, then an income tax return needs to be completed.

Baby-Sitting

Are there any rules about baby-sitting?

Baby-sitting is a very common job for youth, but it has many responsibilities attached to it. However, there are no rules or laws that govern baby-sitting. It is important that you take this responsibility very serious and get training at places like the Red Cross and the Cooperative Extension Center. These organizations provide quality Cardiac Pulmonary Resuscitation (CPR) and first aid training, a must for any serious baby-sitter. These organizations will be listed in the phone book.

What are some things that will help me when offering baby-sitting services?

Plan to baby-sit for families you know. Answering ads for baby-sitting may not be a good idea. You could find yourself in a potentially harmful situation. If you decide to answer an ad, it would be important to interview the family and probably have a parent go with you.

What are some things a baby-sitter needs to do to keep children safe?

Before the parents leave, write down the telephone number where the parents can be reached and the numbers of the doctor and a neighbor to be called in an emergency. Know how to call the police and the fire departments (911 is the emergency number), as well as the poison control center. Place these numbers near the telephone. Find out if the child is allergic to anything or taking any medication. Watching the child is the baby-sitter's main job. Do not let anything interfere with the ability to keep the child safe and secure while the parents are away.

What about the family's household rules and what they will allow you to do in the house?

Ask the family about the child's bedtime, snacks, television, where the child is allowed to go, and any special concerns the child may have. Also be sure to ask what privileges you have while in the home.

How can I determine how much money to charge?

Before you provide baby-sitting services, it is important to tell the family how much money you will charge them for the job.. Remember that baby-sitting is a very important and awesome responsibility. Be clear about how much this job will cost a family.

Section 7: Money Management

The best way to have financial success is to plan for it. The best time to learn about managing money is when you are young.

Savings and Checking Accounts

What is a savings account?

A savings account is an account at the bank that allows your money to earn interest. You may add to or withdraw (take out) money at any time.

What's a checking account?

This is an account where money is deposited into a bank and then checks can be written to use in place of the cash. The person whose name is on the checking account is called the account holder. It is illegal to write checks for more money than is in the account. The account holder can be charged with fees and possibly legal action.

If I am under age 18 can I open a savings or checking account?

Some banks allow that but most require a parent's signature.

What is interest paid?

When money is placed in a bank, the bank pays the account holder to keep that money in the bank. The money paid to the account holder is called interest. The bank determines the amount of interest. It is usually determined as a percentage. For example a bank may pay 1% interest on the money in the account. The longer the money sits in the account, the more the it earns in interest.

What is interest rate on a loan?

In the case of a loan, interest is the amount of money a borrower pays for the use of money until it is repaid. It is usually a percentage rate and is determined before the money is borrowed. So, if you borrow money that has an interest rate, you will always have to pay back more money than you borrowed.

Credit Cards

What is a credit card?

A credit card is a card that allows you to purchase items without cash. A bank or lending institution issues a credit card. The "limit" is the amount of money you can "borrow" on the account. Understand that the money you use is borrowed. You are legally required to pay it back with interest. This means that bank charges you money to use its money.

What kind of interest does a credit card have?

Credit cards use compound interest on the balance of money owed. Compound interest is very costly. This means that every month that you do not pay the total amount owed on the credit card, the interest accumulates (builds up). If you only pay the minimum amount each month, you are losing money. For example, if you have a credit card balance of \$2,500 and only paid the minimum fees, it would take 30 years to pay off the card and you would pay \$6,500 in interest fees (based on an 18.55% interest rate).

Can someone under age 18 obtain a credit card?

No. In North Carolina, persons wishing to obtain a credit card must be at least 18 years old, unless a parent or family member provides them with a card.

What are the dangers of using credit cards?

Credit cards can make it seem easy to buy things when you don't have the cash in your pocket or in the bank. But credit cards aren't free money.. Most credit cards charge high interest rates as much as 18 percent or more. If you owe money on your credit cards, the wisest thing you can do is pay off the balance as quickly as possible. Also, if you get behind in paying your credit cards you obtain a bad credit history that could make it difficult to obtain loans or make other financial arrangements in the future.

When should credit cards be used?

Never. However, if you do use a credit card, make sure you have enough cash to pay the entire bill when it arrives. This means you must keep up with how much you are charging to your card each month.

Bank/Car Loans

How old do you have to be to get a bank loan or a car loan?

Entering into a loan agreement is considered a legal contract. Most businesses will not enter into contracts with young people under the age of 18 unless an adult also signs. This is called co-signing. This means that if you do not pay back the loan, the adult who co-signed is responsible for the payment. If you are over 18, you may qualify for a bank loan or car loan depending on your income and debts.

Section 8: Cars, Motorcycles and Bikes

Having a driver's license requires responsibility and maturity. A driver's license is a privilege, not a right. There are many laws that have to do with driving a motor vehicle on public roads. These laws are required to protect you, other drivers, and anyone walking or riding a bike on roads and highways.

Driver's License and Permit Requirements

What is a driver's license?

A license is a document that proves that you are of legal driving age and have passed a driving test.

How old do I have to be to get a driver's license?

In North Carolina there is a system for different ages and requirements to get a license. It is called the state's graduated driver licensing (GDL) system. GDL involves three levels of licensure. Each level has a higher level of responsibility.

Level 1 - Limited Learner's Permit

If you are 15 or older and have passed an approved driver education class you may obtain a limited learner's permit. With this license you must:

- Drive only while supervised by a parent, guardian or other person approved by the division of motor vehicles.
- Drive only from 5 a.m. to 9 p.m. during the first six months.
- Maintain a clean driving record (no fines or tickets) for six continuous months in order to progress to a limited provisional license.

After 12 months of having a learner's permit and keeping a clean driving record (no fines or tickets), you can apply for the next level.

Level 2 - Limited Provisional License

With this license you:

- May drive unsupervised from 5 a.m. to 9 p.m.
- May drive after 9 p.m. only while supervised, unless driving directly to or from work.
- Have all persons riding in the car wear seat belts.

If you have had a limited provisional permit for at least six months and kept a clean driving record for six continuous months, you may obtain a full provisional license.

Level 3 Full Provisional License

- Under a full provisional license, you may drive unsupervised at any time.

Is a driver's license required to operate a motorcycle?

Yes. It is necessary to take and pass a written and an off-street skill test (driving) for motorcycles. Motorcycles include miniature motorcycles that travel up to 30 miles per hour. You must have a valid driver's license in order to operate a motorcycle.

What documents are required to apply for a driver's license?

You will need proof of identity and age in order to apply for a driver's license. Documents proving identification (ID) include a birth certificate or two other acceptable proof of identity that lists the date of birth. Call the department of motor vehicle in the phone book to ask about the types of identification they accept. To get a copy of your birth certificate, contact the health department in the county where you were born.

What test is required for a driver's license?

You must take a written and driving test given by the department of motor vehicle. Once the tests are passed and you receive the certificate, you can then apply for a license. Many high schools provide a driver's education class which prepares you to be a safe driver and pass the test.

Do I need my parents' permission to get a driver's license?

If you are under 18 you will need a parent or guardian to sign the application.

Are there special accommodations made for youth with learning disabilities?

Some department of motor vehicles driver's license offices have headphones that allow the questions and answers to be read to the test taker. The test taker then can respond using the touch screen computer or computer keys.

Suspension of Driver's Licenses and Permits

Can my driver's license be taken away?

Yes. Under the "Lose Control Lose Your License Law" your driver's license or permit can be taken or suspended if you are expelled or suspended from school. It may also be taken or suspended if you are sent to an alternate education setting for more than 10 consecutive days for at least one of the following reasons:

- The possession or sale of an alcoholic beverage or illegal controlled substance on school property.
- The possession or use on school property, of a weapon or firearm that could have or did result in disciplinary action.
- The physical assault on a teacher or other school personnel on school property.

Your driver's permit or license **will be revoked** (taken away) if you are unable to keep your grades up to an acceptable level or if you drop out of school. The law applies to all North Carolina students under the age of 18 who attend public school, federal school, home school, private school or community college and are eligible for a driving permit or license.

Insurance⁸

Is automobile insurance required?

Yes. Proof of automobile insurance is required. Youth between ages 16 and 18 may only obtain their own insurance if they have been declared “legally responsible” (emancipated) for themselves by a court. All other youth must be included on their parents’/guardian’s insurance policy.

Is wearing seat belts required?

Yes. Everyone in a car must wear a seat belt. The police may fine the driver of the car, if others in the car are not wearing seatbelts. If you receive a fine, you will be required to wait longer to get the next level of license.

Motorcycles, Bikes and Mopeds

Are there any special requirements for motorcycles?

Yes. Safety helmets are required of the driver and all passengers on a motorcycle. The motorcycle’s headlight must always be on when using the vehicle. This applies to miniature motorcycles also.

Are motorized bicycles and scooters required to be registered?

No. They are not required to be registered. The operator is not required to wear a safety helmet, but it is wise to wear one. However, miniature motorcycles that travel over 30 miles per hour are required to be registered and the rider and passenger must wear a helmet. To operate a motorized bicycle (Moped) you must be at least 16 years old.

Are there any regulations for bicycles in North Carolina?

Yes. Bicycles and motorized bicycles are legal moving vehicles. After dark, they must have a white light on the front that can be seen from 300 feet away. They must also have red lights on the back that can be seen from 200 feet away. People on bicycles must obey all traffic laws.

Section 9: Health Issues

Your health is something that you want to last a lifetime. It is about having a life that leads to feeling good and being your best self. Health includes: physical health (good nutrition, regular exercise, avoiding tobacco, drugs and alcohol), mental health (your emotional well-being and feelings) and social health (family life and relationships).

You should first turn to your parents/guardians or other trusted adults about health issues. You may find it helpful to speak to your family physician, local health department staff, school nurse, social worker or guidance counselor about health issues.

Medical Treatment

Where can I get medical treatment?

Medical services are provided at a private doctor's office, emergency room, local health department or urgent care center.

Is parental consent needed in order to get medical treatment?

Yes, except in the following cases:

- You are over 18
- The parent or guardian can't be located
- Locating the parent or guardian would take so much time that you would be at risk
- The prevention, diagnosis and treatment of sexually transmitted diseases
- Treatment for alcohol and drug abuse
- Diagnosis and treatment of an emotional disturbance
- Pregnancy tests

Parents can be very important in the treatment and care process. Often times the doctor will inform parents/guardians about the treatment, with your permission.

If you are emancipated (declared by the courts to be free from parental control) you do not need the permission of anyone else (see section on Emancipation).

Medication

Do I have the right to refuse medication?

Yes, except in the following situations:

- In emergencies;
- If you are a danger to yourself or others; or
- If you were involuntarily hospitalized (made to go a hospital)

Can a residential program force me to take my medication?

No. If you are in foster care, a group home or in a residential treatment facility the agency cannot force you to take medication. But, even if the agency staff can't make you take medications, they can try to encourage you to cooperate.

Who can I go to if there are problems or concerns about medication?

If you are worried about taking medication, talk to your doctor, parents, caseworker, therapist, and/or psychiatrist.

- Find out the name of the drug
- What dose (how much) you take and when you take it
- Ask what it is for and what it is supposed to do
- Ask about possible side effects

What are side effects?

Side effects from medication are physical and emotional effects caused by the drug other than what the medication is given to treat. Some common side effects from medication are: extreme sleepiness, nausea (sick on the stomach), a feeling of jumpiness or worry, bad nightmares or a funny feeling on your skin.

How will I know if I am having side effects?

Keep track of how your body responds to the medication and write down any changes. Talk to your doctor or therapist with a detailed description of your concerns.

What are the effects of alcohol and tobacco on prescription medication?

Smoking or drinking alcohol may not mix well with your medicine and could cause other side effects and make you very ill. Talk with your parents, doctor or pharmacist about this.

Weight Control

What's the best way to lose weight?

Talking to a health care provider is essential before trying to lose weight. You can lose weight by increasing your physical activity and reducing the amount and type of food you eat (intake of calories). Losing one-half to one pound of weight per week is the best and healthiest way to lose weight and keep it off.

What causes weight gain?

Weight gain usually occurs because you are taking in increased amounts of foods (which means increased calories) and are not getting enough exercise to burn those calories.

What is a fad or crash diet? Are they effective?

Fad diets are diets not based on good nutrition. These diets frequently leave out one or more groups of food. Fad diets may result in quick weight loss, but they are very unsafe and can cause serious illness. Such diets do not encourage you to learn to eat in ways that you can keep the weight off. Therefore, weight is often gained back quickly.

What about diet pills?

Diet pills can have very harmful effects. Although diet pills are available in many drug stores and grocery stores, that doesn't mean it is safe or smart to take them.

Where can I get help with a weight problem?

Doctors and health departments can provide helpful suggestions. There are many organizations that have been formed to help people with weight problems. Talk to your parents or health care provider before joining one of these groups.

Eating Disorders

What is an eating disorder?

An eating disorder is a negative change in eating behavior. This could be eating too little food or eating way too much food. This eating behavior is often in response to feelings of distress or excessive concern about body shape or weight.

What is anorexia?

Youth with this disorder see themselves as overweight even though they are dangerously thin. Eating becomes an obsession. Unusual eating habits develop, such as avoiding food and meals, picking out a few foods and eating these in small amounts, or carefully weighing and portioning food. Youth with anorexia may repeatedly check their body weight.

What are the symptoms of anorexia?

- Inability to maintain body weight at or above a minimally normal weight for height, body type, age and activity level
- Intense fear of weight gain or being “fat”
- Feeling “fat” or overweight despite dramatic weight loss
- Loss of menstrual periods
- Extreme concern with body weight and shape

What is bulimia?

Bulimia Nervosa, usually called bulimia, is a type of eating disorder. Someone with bulimia eats a lot of food in a short amount of time (called bingeing) and then tries to prevent weight gain by purging. Purging might be done by making oneself throw up, or taking laxatives, pills, or liquids that increase how fast food moves through your body and leads to a bowel movement (BM). A person with bulimia may also prevent weight gain by exercising a lot, eating very little or not at all and taking pills to pass urine.

Is there a cure for anorexia and bulimia?

Yes, but medical help should be sought.

Sexually Transmitted Diseases & HIV / AIDS

What are Sexually Transmitted Diseases (STDs)?

STD is an abbreviation for sexually transmitted disease. STDs are contagious (passed from one person to another) through sexual activity and intercourse. Sexually transmitted diseases can cause serious health problems. The most frequently occurring STDs are chlamydia, herpes and human papillomavirus (HPV). Some other sexually transmitted diseases are gonorrhea and syphilis. Some of the symptoms could include pain when urinating, discharge from and/or sores on sexual organs.

Do all STD's have symptoms?

Some STDs diseases have no symptoms. A person can have a sexually transmitted disease and not know it. Even if a STD has no symptoms it can still be passed from person to person.

What should I do if I think I have an STD?

All people who are sexually active should have regular exams for STD's. If you think you might have a sexually transmitted disease it is important to stop all sexual activity and to get a medical exam immediately. Talk to your parent or other trusted adult. Go immediately to a doctor or health care clinic for an exam.

Parental permission is not required for examinations and treatment of a sexually transmitted disease. However, young people are encouraged to talk to a parent or other trusted adult for information and guidance.



How are STDs prevented?

The only way to prevent STDs is to abstain from sexual activity (not have sex). Someone who is having sex can reduce the risk of getting a STD by using a condom properly. However condoms don't protect against everything. Even with a condom it is possible to get, or give a STD.

What is AIDS?

AIDS stands for Acquired Immune Deficiency Syndrome. Human Immunodeficiency Virus (HIV) causes AIDS. HIV attacks the body's immune system, which protects a person against diseases. HIV is transmitted when infected blood, semen or vaginal fluids get into a person's body.

You cannot tell by looking at people if they are infected with HIV. People can have HIV and look well, feel well and stay healthy for years. Once a person gets infected with HIV, he/she is infected for life. There is no cure for HIV or AIDS.

How can I reduce the risk of getting AIDS?

The safest way to avoid getting HIV is not to have sex and not to inject drugs and share needles. Infected women can pass HIV to their unborn babies.

Proper condom use can reduce the risk of getting HIV. Never sharing needles or syringes can also reduce the risk.

You cannot get HIV or AIDS from someone who is infected by:

- shaking hands, hugging, sneezing or coughing
- using toilet seats or swimming pools
- being in the same classroom or sitting beside someone who is infected
- sharing drinks, food, glasses, dishes, spoons or forks with someone who is infected

In other words, you cannot get HIV just by being near someone who has HIV.

What is the test for AIDS?

There is no test for AIDS, but there is a blood test for the HIV antibodies. The HIV antibody test will not tell you if you have AIDS. It can only tell you if you are carrying the antibodies to HIV. Your local health department offers free HIV testing and counseling.

Parental permission is not required for AIDS tests. However, young people are strongly encouraged to talk to a parent or other trusted adult for information and guidance.

Birth Control

What is birth control?

Birth control refers to methods used to prevent pregnancy. Not having sex is the only guaranteed way to prevent pregnancy. If someone is sexually active, the risk of pregnancy can be reduced by the careful use of birth control. There are many different types of birth control methods for both males and females. More information is available at community health departments or from private physicians. However, young people are strongly encouraged to talk to a parent or other trusted adult for information and guidance.

Pregnancy

What if I think I am pregnant?

It is very important to get advice from your parents or other trusted adults. It is important that you talk to other people whom you trust. It is important to do this early and get a pregnancy test. Pregnancy tests can be obtained from a doctor or health department. And, although you don't need parental permission, it is very helpful to have a trusted adult with you.

If pregnant, where can I obtain counseling to discuss pregnancy and options?

If your pregnancy test is positive you can go to a parent/guardian, a minister or a counselor with the local health department to discuss the pregnancy and options.

What is prenatal care?

Prenatal care is health care provided to the mother while she is pregnant. It is important for a female who suspects she is pregnant to visit the doctor immediately. At each visit the doctor will examine the mother and the development of the baby.

What is postnatal care?

Postnatal care is care for the mother and child after the baby is born. The doctor checks the baby's growth and development and makes sure the mother is healthy.

Adoption

If I choose to place my baby for adoption, when should that decision be made?

A decision to place a baby for adoption may be made at any time during a pregnancy. As with any decision, it is very helpful to have a parent or other trusted adult to talk with. If this option is chosen, it should be accomplished as soon as possible after the baby is born. There are many public and private adoption agencies that will assist young parents in the adoption process. You may look in the yellow pages under “adoption services” or contact the department of social services.

If young parents decide to keep the baby, what services are available?

The county department of social services can provide information about various programs available in their county or community.

Mental Health

What is mental health?

Mental health is emotional and social well being that allows a person to cope with normal stresses of life and work, and to participate in the community.

How common are mental health issues for youth?

Most youth will proceed through life with only a few problems. However, a small number of young people will have more serious mental health problems that effect their mood, behavior, relationships, work or study.

Where should I turn for help if I feel my problems, sadness or anger are beyond my control?

Sometimes it is a great help to talk with a responsible person who understands and cares about you. You may turn to your parents, minister, local mental health agency, school principal, teacher, guidance counselor or social worker.

Where can I get services for mental health issues?

You can receive services through local mental health centers, private doctors counselors or therapists or ministers. There are also support groups that can be found in many communities. See the resources in the back of this book for additional information.

Family Counseling

What is family counseling?

The purpose of family counseling is to help family members live and work together successfully. A trained person does it. Usually this is someone who is not part of your family. If you would like to discuss the possibility of going to family counseling, talk with your parent(s), a school guidance counselor or social worker. You can also call the mental health center. The phone number is in the phone book.



Section 10: Drugs And Alcohol

What are Drugs?

The use of alcohol and drugs can cause serious health problems and addiction. Many youth who experiment with drugs and alcohol and find themselves in trouble with the law, flunking school and doing risky things. The consequences of using drugs and alcohol can have a negative impact on your life and the lives of people who care about you. In North Carolina it is illegal for youth to use alcohol, tobacco and other drugs. The laws are very strict.

What is a drug?

A drug is a chemical taken into the body which causes emotional, mental and/or physical effects.

What is the difference between legal drugs and illegal drugs?

A legal drug is one that is prescribed by a medical person or sold legally to address a medical condition. An illegal drug is any drug that has been restricted by law as having no medical purpose. If a legally prescribed drug is used or sold for other reasons, that is also illegal.



What are the different types of illegal drugs?

There are several types of drugs, including stimulants, depressants, opiates, hallucinogens, methamphetamine, marijuana and inhalants. Different drugs do different things. All drugs legal and illegal can have harmful effects.

What is substance abuse?

Substance abuse is a destructive habit of using alcohol or drugs. This can lead to addiction or dependency.

What is chemical dependency?

Chemical dependency is the same thing as addiction. This means a person either mentally or physically needs to have the chemical (drug) in her/his body. Addiction is a disease and needs treatment.

NC Drug Paraphernalia Law

What is the North Carolina Drug Paraphernalia Law?

The NC Drug Paraphernalia Law prohibits the manufacture, delivery, sale, possession and use of drug paraphernalia. Drug paraphernalia is equipment or products designed for illegal drug use.

What is the most common substance abuse problem in North Carolina?

Alcoholism is the most common. Alcohol is classified as a depressant and is addictive. Those who drink to escape problems and pressures of everyday life are more likely to become alcoholics. Alcoholism may be genetic. This means that alcoholism can run in families. If a parent or grandparent is an alcoholic, then the children have a greater chance of becoming addicted to alcohol.

How old do you have to be to legally buy alcohol in North Carolina?

The legal age is 21 years old to purchase any type of alcohol. It is illegal for someone to purchase or give alcohol to anyone under 21 years of age. Conviction of these offenses will mean the loss of the driver's license for one year.

Is it illegal to drive while drinking or while under the influence of alcohol or other drugs?

Yes. It can also be deadly. Many accidents happen because a driver of a motor vehicle was under the influence of alcohol or other drugs. It is also illegal for any passengers to have an open container of any type of alcohol in a motor vehicle or for a driver to be under the influence of alcohol or other drugs.

What is the penalty for driving while under the influence of alcohol or drugs?

North Carolina has very strict penalties for people who drive under the influence of alcohol or drugs. Under state law, a person who gets behind the wheel with a blood-alcohol level of 0.08 percent or more is considered to be driving while impaired.

If a driver who is less than 21 years old is convicted for an offense of driving with any amount of alcohol or drugs in his/her body, his/her license will be revoked (taken away) for one year.

If convicted, the youth may also be required to attend some form of counseling or drug education and to perform community service. The state can take away the driver's license, impose a fine or sentence the person to prison.

Is nicotine a drug?

Yes. Nicotine is a stimulant and is very addictive. Nicotine is most commonly found in cigarettes, chewing tobacco and snuff. Nicotine use can result in serious health problems, such as heart disease, stroke, high blood pressure and cancer.

How old do you have to be to legally buy tobacco products in North Carolina?

It is illegal for anyone under 21 to buy tobacco products. This includes cigarettes, snuff, chewing tobacco and cigars.

What is crack/cocaine?

Cocaine is a powerfully addictive stimulant drug. The powdered, hydrochloride salt form of cocaine can be snorted or dissolved in water and injected. Crack is cocaine that has been altered and comes in a rock crystal that can be heated and its vapors smoked. The term "crack" refers to the crackling sound heard when it is heated. Cocaine in both forms is very addictive.

Getting Help for Drug Use

How can I stop using drugs?

Programs to help young people stop using drugs are available through school-based assistance programs and in every county mental health, substance abuse services agency in North Carolina. Drug abuse is very serious and can have lifelong consequences. Try to find a trusted adult to talk to. If you need more information on alcohol, tobacco and other drugs, call 1-800-487-4890. To find out about treatment options in your area, call 1-800-662-HELP.

If I am under 18 (a minor) do I need my parents consent to get treatment?

No. You can get certain medical services on your own. However, it is strongly recommended that you talk to a parent or other trusted adult.

Section 11: Abuse And Neglect

This section deals with neglectful and abusive situations sometimes faced by youth. Every youth has a right not to be abused or neglected. There are laws that protect the rights of young people and ways to keep them safe.

Child Abuse, Sexual Abuse and Neglect

What is child abuse?

Child abuse is the serious physical injury or serious emotional harm of a child.

An abused child is any child under 18 years of age whose parent, or guardian or caretaker:

- a) Seriously injures the child physically or allows the child to be seriously physically injured for reasons other than by accidents
- b) Creates a great risk of serious physical injury to the child other than accidental means
- c) Uses or allows to be used, cruel or grossly inappropriate procedures or devices to change the child's behavior

What is neglect?

Neglect is the failure to provide for a youth's basic needs, proper care, protection or discipline. This includes a child's physical, educational, medical and emotional needs. Not having enough money to take care of a youth's basic needs does not mean a parent is being neglectful.

What is dependency?

A youth is considered dependent upon the state of North Carolina if he/she has no parent, guardian or custodian responsible for his/her care or supervision. If the youth's parent/guardian is not able to provide care or supervision and there is no other suitable arrangement for the young person's care, the child would be considered dependent upon the state.

What is sexual abuse?

Sexual abuse is any type of sexual activity or sexual contact by a parent, caregiver or other adult with a youth. Taking advantage of a child through prostitution or pornography is also considered to be sexual abuse.

Reporting Child Abuse, Sexual Abuse and Neglect

Who is required to report abuse or neglect?

Everyone in North Carolina is a mandatory reporter. That means that any person who knows or even suspects that a child is being abused or neglected is required by law to report their concerns. These concerns should be reported to the local department of social services or to the police department.

What should I do if I am being abused or neglected?

Talk to an adult you trust and who cares about you, such as a spiritual leader, a relative, teacher, coach, counselor or social worker. If the adult does not believe you or does not offer to help, you should talk to someone else. It's important that you keep telling people until someone believes you. You may also call the local department of social services or 911 to report abuse. Most counties have a child abuse hotline. You can also call the national abuse hotline at 1-800-4-A-CHILD. It is very important that the worker who takes the report understands if you are very afraid that your parents might react violently or harm you in some way as a result of the report.

What happens if I or someone else reports my parents for abuse or neglect?

The department of social services is responsible for immediately responding to reports of abuse. Response times vary from immediate, to 24-48 hours, depending on the level of risk in the report made. In neglect situations, they must conduct a family assessment to determine if the children are safe, the level of risk to the children, and whether the family is in need of services. An investigation is conducted in abuse situations to determine the safety and risk of harm to the child and whether abuse did or did not happen. In both cases, they also decide what needs to happen to keep the youth safe.

What if my parents are found to have been abusive or neglectful?

Several things may happen depending upon the type and seriousness of the abuse or neglect. In only the most serious situations, may the young person be removed from the home immediately. Services to protect youth (Protective Services) are provided by the department of social services.

The department of social services may choose to go to court and ask a judge to decide what is best for the child or children. This is called a juvenile petition. If someone other than the parents is abusing a child and the parents are not aware, the parents will not be held responsible for the abuse.

What should I do if I am afraid after making a report?

Talk to the child protective service worker assigned to your family. Make sure the worker knows of your fear of being unsafe. A good worker will ask that question and should evaluate the immediate safety concerns. During the first visit with the family, the worker will develop a safety plan for the youth with the parents to address those concerns.

What if the parents are visibly angry about the report?

The social worker will spend time talking with the parents and the youth to help reduce the parents' anger and work out a plan where the youth feels safe. The plan could include a written agreement with the parents that they will not use corporal punishment (hitting, or otherwise hurting) or do anything to get back at the child. The agreement could also be that the angry parent will leave the home for a short time while tempers cool, or that the youth stays with family/friends until the situation calms down. If there is great concern about the youth's safety, the youth could be moved temporarily to a safe placement with kin/relatives. If no appropriate kin/relatives are found, to a licensed foster care home until safety can be assured and the youth can return home.

What about when the youth is left in the home during the assessment/investigation?

If the youth remains in the home, the worker should keep in regular contact with the youth and family to make sure the safety plan is being followed. The youth always has the option to call the child protective service worker, 911, or the police if they feel unsafe at any time.

Protective Services

What are protective services?

Protective services are provided to a child and the family with two major goals in mind:

- To ensure the safety and well-being of the child
- To keep the family stable and together, if possible

Protective services can also mean removing the child from the home. The youth or child will be placed somewhere he/she will be safe. This could mean with another family member or in foster care.

What are treatment services?

Treatment services are available to help parents become more responsible, to prevent abuse or neglect, to improve the quality of childcare, and to preserve family life.

When can a youth be removed from the home?

Before protective services can remove a young person from the home, they must have asked the District Court for permission. This is called a juvenile petition. In emergency cases, a protective services worker may assume immediate, temporary custody of the young person prior to the filing of a petition (asking the Court). This means that the young person leaves the home immediately with the worker.

What happens if a juvenile petition is filed alleging abuse, neglect or dependency?

If a juvenile petition is filed, the case goes to court for a hearing. The social services department will seek a court order to protect the young person. There are many possible outcomes of these hearings depending on what the court determines is best for that young person. All efforts are made to keep the young person in his/her home, if that is what is in the best interest of the young person. The safety of the young person is the primary concern.

Rape

What is rape?

Rape is committed when a person forces another person to engage in sexual intercourse. The law describes different types of rape.

First-degree rape occurs if one of the following is true:

1. a dangerous or deadly weapon is used;
2. serious personal injury is done;
3. one or more other persons are involved in committing the rape;
4. the victim is under the age of 13 years and the person accused of committing the rape is at least 12 years old and four years older than the victim.



First-degree rape is punishable by up to life imprisonment.

Second-degree rape is when someone has vaginal intercourse with another person by force and against the will of the other person. It can also occur if a person engages in a sexual act with a person with a mental or physical disability and the person performing the act knows or should reasonably know that the other person suffers from a mental or physical disability that renders her/him helpless.. Second-degree rape is punishable by up to 40 years imprisonment.

What is statutory rape?

A person commits statutory rape when engaging in vaginal intercourse or other sex acts with a person who is 13, 14 or 15 years old, and the person committing the act is more than four years older. Even if the younger person agreed (consented) to the sexual intercourse, it is still considered rape. The key element is the age of the victim (under 15) and the difference between the age of the victim and the older person. In North Carolina 16 years old is considered the age of consent.

What is date rape?

Date rape is the same as rape. The difference is that the victim knows the person. The victim might know the rapist very well or not very well at all. Sexual intercourse that occurs by force or against the will of the victim, even if the victim knows the offender, is rape. It is also rape if someone has sexual intercourse with a person who is not able to consent to sex (for example, if the victim is unconscious, or incoherent or drunk).

What is incest?

Incest occurs when a person has sexual intercourse with a family member whom that person is forbidden by law to marry. In North Carolina, incest is sexual intercourse between parent and a child, stepchild, or a legally adopted child; grandparent and grandchild, uncle and niece or nephew and aunt.

What should be done when a person is raped?

If you or a friend need help due to a rape, sexual assault or sexual abuse, talk to a trusted adult, such as a parent, friend or relative, immediately. Call the police and report it. Rape is a crime. If possible, do not change anything about your physical condition. For example, do not take a bath or shower until you have talked to the police. They will likely have you examined by a physician.

Many areas also have a local rape crisis shelter, domestic violence shelter or hotline, which may be listed inside the front cover of the phone book. You should contact the police or sheriff's department, or your physician or local hospital. You may also simply dial 911.

Domestic Violence and Relationship Abuse

What is domestic violence or relationship abuse?

Domestic violence and relationship abuse occur when one or both people who are married, living together, dating or involved in a relationship engage in hitting, threatening or otherwise hurting each other. There are laws that prohibit people from hurting each other regardless of their relationship.

Where should I go to get help in dealing with rape, domestic violence or relationship abuse?

As with other forms of abuse, talk to a trusted adult who can help you. If your community has a local rape crisis shelter, domestic violence shelter or abuse hotline, it can also help. You have the right to live without being abused and hurt by others. Make sure you get the help you need.



Section 12: Youth And The Law

The juvenile justice system is separate and different from the adult criminal justice system. Adults are held fully responsible for their behavior. The laws are different for young people because of their age. However, the laws are very clear if a youth fails to follow the rules of society. Youth can be punished if they are found to be undisciplined or delinquent. This section is adapted from *Youth Rights and Responsibilities*, Fall 2000, Youth Advocacy and Involvement Office and *You and the Juvenile Justice System: A Guide for Youth, Parents and Victims*, Fall 2000, NC Administration and Youth Advocacy and Involvement Office.

Juveniles in North Carolina

Who is a juvenile?

The North Carolina law defines a juvenile as a youth under the age of 18 who is not married, has not been emancipated (not legally freed from parental control) and is not in the armed forces.

What is an undisciplined juvenile?

An undisciplined juvenile is a youth between the ages of 6 and 18 who is:

- Absent from school without permission; or
- Often disobedient to, and beyond the control of his/her parents, guardian or caregivers;
- Regularly found in places where it is unlawful for a juvenile to be; or
- Has run away from home for a period of more than 24 hours.

What is a delinquent juvenile?

A delinquent juvenile is someone who is at least 6 years of age but not yet 16 years old, and does something that would be a crime if an adult did the same thing.

Delinquent and Undisciplined Acts

What are the different kinds of delinquent acts?

A delinquent act is the same thing as a crime. It is a criminal act committed by a young person under the age of 16. Crimes are divided into two groups:

- Misdemeanors, the less serious crimes, are divided into four classes (A1, 1, 2, and 3) according to their seriousness. See the appendix for descriptions.
- Felonies, the more serious crimes, are also divided into classes (A through I), according to their seriousness. See the appendix for descriptions.

The Juvenile Code also has its own categories of offenses, which the judge must use in determining which options are available at disposition (sentencing). These categories are violent crimes (Class A through E felonies), Serious crimes (Class F through I felonies and Class A1 misdemeanors), and Minor crimes (Class 1, 2, and 3 misdemeanors). See the appendix for a description.

What happens if a youth is blamed for an act that is delinquent or undisciplined?

Any person in the community or a family member can file a complaint alleging that a juvenile has committed an act that is delinquent or undisciplined. The intake counselor at the department of juvenile justice and delinquency prevention (DJJDP) reviews all delinquent and undisciplined complaints and decides if they should go to court or not.

Can a youth be arrested?

The term arrest is not used for juveniles. However, under the following situations a juvenile may be taken into custody for up to 12 hours (or longer if on a weekend or legal holiday) without a court order:

- 1) by a law enforcement officer if reasons exist for the arrest of an adult under the same situation;
- 2) by a law enforcement officer or court counselor if there are reasons to believe that the youth is an undisciplined juvenile under state law;
- 3) by a law enforcement officer, court counselor or department of juvenile justice and delinquency prevention worker if there are reasons to believe that the youth has run away from a youth development or detention facility center; or
- 4) by a law enforcement officer or department of social services worker if there are real reasons to believe that the youth is abused, neglected or dependent and would be hurt or they would lose the chance to take the youth into custody if they spent time getting permission from the courts.

How long are juveniles held?

A juvenile who is accused of being delinquent of certain offenses (not all offenses are detainable offenses) may be held in secure custody for no more than five days or non-secure for no more than seven days without a court hearing before a judge. A juvenile who is accused of being undisciplined by virtue of being a runaway may be held in secure custody for no more than 24 hours (72 hours on weekends/holidays).

What is the difference between secure and non-secure custody?

Secure custody is placement in a development facility and is used for delinquent and for some undisciplined juveniles. Non-secure custody is placement in a foster home or a similar facility and is used for some undisciplined juveniles as well as juveniles who are dependent, abused or neglected.

What is involved after a complaint is received?

The intake counselor asks questions to determine if the offense meets the elements of the law to be considered a crime. When possible, the intake process includes talking with the person(s) making the complaint, talking with the juvenile and his/her parent(s) or legal guardian, talking to the victim if not the person filing the complaint and talking with others who have information about the juvenile and his/her family (i.e. school people, DSS, and others).

How long does the intake process take?

The intake process takes 15 to 30 days to determine whether to file the complaint as a petition and to make a decision regarding whether the youth needs to go to court or not. A petition is a document that states the facts in the complaint.

What happens after the complaint is processed?

The intake counselor can approve the petition to go to court. The counselor can also divert the case. This means that the juvenile will not go to court but will have a different plan. The case may also be closed. In the most serious delinquency cases (non-divertible offenses), the intake counselor must approve the filing of a petition if the intake counselor finds reasonable grounds to believe the juvenile committed the offense.

What does divert mean?

Divert means to connect the juvenile and the juvenile's family to resources in the community to help them deal with behaviors and problems instead of taking the case to court.

Do the youth and family have a plan when the case is diverted?

The intake counselor, the juvenile and the juvenile's family may enter into a **diversion plan or contract**. A **plan** is a verbal agreement between the juvenile, the parent/guardian and court counselor that tells what each of them will do. A **contract** is a written agreement between the juvenile, parent/guardian and court counselor that tells what each of them will do. The intake counselor can monitor the plan or contract for up to 6 months to determine the youth's progress towards completing his/her plan or contract. If the juvenile completes the diversion plan or contract, a petition is not filed and he/she does not have to go to court.

What happens if the youth and family do not complete the diversion plan or contract?

If the juvenile does not complete the terms of the diversion plan or contract, the intake counselor can take the case to court any time within six months.

Can a felony charge be diverted?

A juvenile charged with a felony may also be diverted from the juvenile justice system unless the offense is specifically classified as non-divertible offense. Non-divertible offenses include murder, rape, arson, any felony drug offense, first-degree burglary, crimes against nature and any felony that involved willful infliction of serious bodily injury or was committed with a deadly weapon. If the intake counselor finds reasonable grounds to believe the juvenile has committed a non-divertible offense, he/she must authorize the complaint to be filed as a petition.

The Petition "Filing of Charges"

How is a youth brought into juvenile court?

If the court counselor approves the complaint to be filed as a petition, the juvenile and his/her parents are notified. The notification is called a summons to appear in court. Copies of the juvenile petition are served (given) to the juvenile and his/her parent(s) or legal guardian(s).

How are juvenile cases handled?

In North Carolina, juvenile cases are sent to the state district courts for hearings. These courts have authority over young people who fit the legal definitions of a delinquent or undisciplined juvenile.

What is a hearing?

This is a court session in which statements and information are presented to a group of citizens (jury) or a judge (in the case of juvenile matters). This is to decide if someone has committed a crime. Court hearings are open to the public unless closed by the judge.

What is the hearing procedure in juvenile court?

Juvenile hearings occur in two steps:

- In the first step, the **adjudication**, the court focuses on the “facts of the case” only and determines whether the juvenile actually committed the offense or not.
- In the second step, the **disposition** or sentencing, the court decides what consequences best meets the needs of the juvenile and the interests of the state.

Is adjudication considered a conviction?

No. The “legal effect of adjudication of delinquency” – shall not be considered a “conviction of any criminal offense. It should not cause the juvenile to give up any citizenship rights. This means if a youth with a juvenile record is asked on a job or college application if he/she has ever been convicted of a criminal offense the answer is “NO” because adjudication is not considered a conviction.

Can a juvenile be represented by a lawyer?

In all delinquency cases, a lawyer must represent a juvenile. In fact, if a juvenile is alleged delinquent for committing a crime, the juvenile is not permitted to give information, turn him/herself into law officials or do anything without his/her attorney, according to the North Carolina Juvenile Code.

An undisciplined juvenile does not have to have an attorney, but can be appointed an attorney. However, if an undisciplined juvenile is alleged to be in contempt for violating the conditions of protective supervision, the juvenile must have a lawyer to represent him/her. This is because the juvenile may be sent to a Youth Development Center if the court finds the juvenile in contempt.

What if a youth and his/her family cannot afford a lawyer?

If the juvenile and his/her family cannot afford an attorney, the court must appoint an attorney to represent the juvenile.

Is a juvenile permitted to have witnesses testify on his/her behalf?

Juveniles may have witnesses testify on their behalf. The attorney representing the juvenile handles this.

Sentencing of Juveniles

What happens if a youth is found to be delinquent?

After a judge finds that a youth is delinquent, the judge orders a **disposition** (similar to a sentence in the adult system). For delinquent juveniles the judge has many options:

- The judge may place a delinquent juvenile on probation,
- The judge may order the juvenile to pay a fine, pay money to the victim, or to perform community service,
- The judge can prevent the juvenile from being licensed to drive a motor vehicle, and/or order the juvenile to spend time in a group home, detention facility or youth development center.

What happens if a youth is found undisciplined?

An undisciplined juvenile cannot be placed on probation or sent to Youth Development Center “training school”, but can be placed under the protective supervision of a court counselor. An undisciplined juvenile is only sent to a “development facility” for short periods of time if the juvenile violates conditions of his/her protective supervision order.

How does a judge decide what consequences to give?

The disposition (consequences) the judge orders will depend on:

- the seriousness of the offense the juvenile committed;
- the juvenile’s prior record;
- the juvenile’s needs;
- the protection of the community.



What is probation?

Probation requires a delinquent juvenile to follow rules that the court sets. If on probation, a youth must be supervised by a court counselor. If the youth doesn’t follow the rules (violates probation), he/she may have to return to court. The judge may order a different set of consequences (disposition). This could be detention or a Youth Development Center “training school”.

How old must a youth be in order to be sent to Youth Development Centers (training schools)?

A judge may send a juvenile to a development center only if the juvenile is delinquent and is at least ten years old.

What is protective supervision?

Protective supervision is similar to probation, but is for undisciplined juveniles. A court counselor supervises the juvenile to make sure he/she is following the rules set by the court. The court counselor also tries to offer community services to the juvenile and the juvenile’s family. If the juvenile violates the conditions of protective supervision, (doesn’t follow the rules set by the court) the juvenile may be found in contempt and could be placed in a development facility for a short period.

Youth Rights in the Legal System

Does a youth have a trial like an adult?

Youth have juvenile hearings that are similar to adult trials, but they are held before a judge and not a jury. If the juvenile is placed in a Youth Development Center, the United States Supreme Court gives the juvenile certain rights. These rights include written notice of the alleged offense, a court-appointed attorney, the right to remain silent, and the right to confront and cross-examine any witness against the juvenile. If the offense charged is a crime, it must be proved by the same standard of proof “beyond a reasonable doubt” that applies in criminal trials.

What protection of confidentiality does a youth have in the legal system?

All juvenile records are to be withheld from public inspections, except by court order. A juvenile’s record can be examined by the juvenile, his/her parent, guardian and/or custodian, the district attorney, and the court counselor without a court order. The district attorney can share information found within a juvenile’s file with law enforcement officers, but they cannot copy any parts of the file. In order for others to obtain a juvenile’s record, it must be by court order. A youth’s records may be made available to schools, youth agencies, law enforcement officials, prosecutor, victims, and the public only under certain, specified circumstances.

Can agencies share a juvenile’s information with each other?

The Chief District Court Judge decides what information local agencies can share with each other concerning juveniles. This may include: local mental health facilities, local health departments, local departments of social services, local law enforcement agencies, local school administrative units, the district’s district attorney’s office, the Department of Juvenile Justice, and the Office of Guardian Ad Litem Services of the Administrative Office of the Courts. They can share information that is important to any case in which a petition is filed claiming that a juvenile is abused, neglected, dependent, undisciplined, or delinquent. Also, schools must be notified if a student is charged with a felony offense.

Expunging Juvenile Records

What is expunction of records?

Expunction is the destruction of juvenile records (all records are ordered to be destroyed). There are three basic types of juvenile records:

- 1) Law-enforcement records (charges filed about crimes or calls that name the juvenile)
- 2) Legal records, or juvenile files, kept at the courthouse by the clerk of Superior Court; that relate to court hearings, and
- 3) Social records, (information about the juvenile’s family involvements with services or reports from community agencies such as department of social services, department of juvenile justice, etc.)

Why would I get my records expunged (destroyed)?

A person 18 years old or older might seek to have juvenile records destroyed if, when the person was a juvenile, a petition was filed stating the person was delinquent or undisciplined and:

- 1) The court dismissed the petition without finding that the juvenile was delinquent or undisciplined; or

- 2) The court found the person to be an undisciplined juvenile; or
- 3) The court found the person to be a delinquent juvenile for committing an offense that was **not** a Class A, B1, B2, C, D, or E felony (see appendix for a description).

Who decides whether a record will be expunged (destroyed)?

After a petition is filed, a judge decides whether to grant expunction of the records. This process may or may not involve a hearing. If the judge decides to grant the request, the judge will order the clerk and the appropriate law enforcement agencies to destroy all records involving the juvenile.

Section 13: Emancipation

Everyone under the age of 18 is considered a juvenile or minor under the law except for youth who become emancipated (legally freed from parental control).

A young person who is “emancipated” (legally freed from parental control) enjoys most of the rights and privileges of an adult. His/her parent or guardian can no longer make decisions for him/her. The young person is entitled to some, but not all, adult rights and privileges.

What is an emancipated minor?

An “emancipated minor” is someone under the age of eighteen who has been released legally from parental control and who has many of the same rights as an adult.

Once emancipated, a youth has the rights and responsibilities of an adult. He/she can enter into contracts, own property, bring a lawsuit or be sued, and do business as an adult.

How can someone become emancipated (legally freed from parental control)?

In North Carolina a minor can become emancipated in two ways.

- First a minor is emancipated automatically if he/she gets married.
- The second way is for the youth to go to district court and file a petition (request) to become emancipated. The youth must be at least 16 years old.

What happens after the petition is filed?

The court will notify the youth’s parents or guardian. Then a judge holds a hearing in court. The judge decides if it is in the best interest of the youth to be emancipated. If the judge agrees to emancipation, then the court issues a document called a decree of emancipation.

To determine if emancipation is in a juvenile’s best interest, what factors are considered?

The court considers the juvenile’s;

- 1) ability to function as an adult;
- 2) need to enter into contracts as an adult or to marry;
- 3) employment status and the stability of living arrangements;
- 4) refusal to accept parent’s control and support; and the parent’s support and supervision is not sufficient;

The court also considers family conflict that prevents the family from being able to function as a family and whether the parents need the juvenile’s job earnings to support the family.

Can an emancipation decree be canceled?

No. The effects of an emancipation decree are permanent. It is best that anyone seeking emancipation consult a lawyer to further discuss the process and its consequences.

What circumstances result in automatic emancipation?

Marriage or enlistment in the armed services of the United States automatically causes emancipation; parental consent is necessary for enlistment or marriage for youth under age 18.

Marriage**Where may I get a marriage license?**

In North Carolina, the couple wanting to be married must go in person, at the same time to the Register of Deeds in the county in which they will be married. The address for the Register of Deeds can be found in the phone book.

Is there a fee for a marriage license?

The fee for a marriage license varies by county. Currently, the fee is between \$40.00 and \$50.00. Payment in cash may be required.

What information is necessary to get a marriage license?

You must provide documentation of your social security number. If you are 20 years old or younger you must provide a certified copy of your birth certificate as proof of age. If you are 21 years or older you may show any identification with a name and birth date, including a driver's license, a passport or a certified copy of a birth certificate. A physical or a blood test is not necessary to obtain a marriage license.

What are the age requirements for marriage in North Carolina?

At age 16 or 17, the consent of a parent or guardian is necessary. Otherwise, in order for a youth to be married, he/she must:

- Be emancipated (legally freed from parental control), or
- Be age 18 or older

A female under age 16 may get married if she is:

- above age 12 and pregnant; or
- has a child and wishes to marry the child's father. In this case, the female still must have the written consent of a parent or guardian with whom she lives, or written permission from the director of the department of social services in her county, if she is in the custody of that department.

Section 14: Making Changes At The Local, State And National Levels

Knowing how to advocate for change in policies and laws is very important to citizens. A youth's ability to advocate for himself/herself and for others helps make the world a better place. Many of the people who make our laws and policies are elected into office. This means that people vote them into office.

Registering to Vote

Who can vote?

Voting is open to any person who is 18 years or older, is a United States citizen and is registered to vote. Voting is considered a privilege and some criminal charges may take away the right to vote.

How do I register to vote?

Contact the Board of Elections in your community to find out where to register. The number will be listed in the phone book. You also may register to vote or make changes to your current voter registration while applying for a NC driver's license or special identification card.

What if I register and then don't vote?

If you fail to vote at least once in every four-year period, you may no longer be considered a registered voter.

Serving on a Jury

What is jury duty?

A jury is a group of people who have agreed to decide the outcome of a trial, based on evidence shared at the court hearing. This is a civic duty.

When may I serve on a jury?

Once you reach 18 you may be called to serve on jury duty.

If I am called to serve on jury duty, do I have to go?

Yes. If you fail to show up for jury duty a warrant may be issued for your arrest.

Improving Your Community

What can I do to improve the community?

There are many things you can do. Get involved in your community or election campaigns. Volunteer your time for community services. Look in your phone book for a local volunteer center. Be sure to check a local newspaper for a "Volunteers Wanted" column. You may also want to contact local civic or service organizations to find out how you can become involved. If you need additional help you can call the Office of Citizen and Community Services at 1-800-662-7952.

Is there any state agency that can help?

Yes. There is a Youth Advocacy and Involvement Office, 217 W. Jones St., Suite 218, 1319 Mail Service Center, Raleigh, NC 27699-1319, telephone (919) 733-9296.

Section 15: Privacy And Confidentiality

There are laws that protect the privacy and confidentiality of young people. These laws apply to any professional person like a teacher, social worker, doctor, or therapist. Information that you tell workers is confidential. The records and documents they keep about your care are confidential and private. No person can have access to your information without your permission or your parent's permission.

Workers Sharing Your Information

When can a professional person share what I say with others?

There are only 3 legal reasons that a professional person can break confidentiality and share what you say:

- If you tell them that you are going to hurt yourself or someone else
- That someone else is hurting you
- If the court orders them to share the information and records

Can my worker share my information with other agencies and other workers?

All your records are confidential including school records. Information about you and your family can be shared only when your parents sign a consent form and they state who else can have the records.

What can I do if private confidential information is shared without my or my parents permission?

If information has been shared without permission, you and your parent or guardian can file a complaint with the office in charge of consumer affairs/ clients rights. Every agency should have one of these offices.

Release of School Records Personal Information

When can the schools release information about me?

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, the Family Education and Rights Privacy Act (FERPA) allows schools to share information, without permission under certain conditions.

What is the Family Education and Rights Privacy Act FERPA?

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records. The law applies to all schools that receive certain kinds of funds from the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. When the youth becomes 18 or attends school beyond high school he/she have those same rights.

Can colleges and universities share any information about me?

Yes. The only information they can share without your consent (permission) is information for the school “directory.” Schools must notify eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the choice of each school.

Section 16: Parental Rights And Responsibilities

Parents also have rights and responsibilities for their minor (under 18 years old) children. This section identifies what parents must provide for their children. It also describes their rights.

Parent Legal Requirements

What are parents legally required to provide for youth?

Parents must provide their children with the necessities of life: food, clothes, shelter, medical care, education and protection.

Food and Clothing. Parents must give their children enough nutritious food to keep them healthy and provide appropriate and adequate clothing.

Shelter. Parents must provide their children with a place to live. Parents cannot force their child to leave the family home while the child is a minor (under the age of 18).

Medical Care. Parents must provide basic medical care as required by law to their children. Parents must also provide the care needed to treat serious medical conditions.

Education. Parents are responsible for seeing that their children attend school as required by North Carolina law. They may select, within guidelines, which school their child will attend. Parents cannot prevent their children from attending school or allow their child to be truant (stay out of school).

Protection. Parents are responsible for keeping their children free from harm imposed by others or by the child himself/herself. If parents fail to protect their children, they can be charged with child neglect.

Who is responsible for a child whose parents divorce?

When a married couple divorces, they share the legal responsibility for their children no matter which parent the child lives with.

Education

Do my parents have to pay for my college education?

No. A parent is not required to provide a college education.

Parent Rights

Parents generally have the right to name their children, to exercise custody over, to receive the earnings of, to discipline, to consent or withhold consent to the child's desire to marry or obtain a driver's license, to determine religious training and education, and to overall style of life.

Financial Responsibilities

Who is legally financially responsible for me if I am under 18?

Parents are financially responsible for you until you are age 18. For this reason, parents have a legal right to your earnings if they desire to have it.

When are my parents no longer legally financially responsible for me?

When...

- You turn 18 even if you are in high school
- If you turn 20 and are still in high school or you graduate from high school (whichever comes first)
- If you become emancipated (see section on Emancipation)

Section 17: Keeping Your Own Records

It is very important to keep your own records (information). You will need different information at different times, so beginning to create a file is very important. Lots of people and groups like parents, schools, and doctors have records on you. You have a right to have a copy of those records. It is important for you to keep them together in a place that is easy to get to. This way you don't have to rely on other people when you need your information.

You can add your records to this book to keep them all in one place.

What type of information should I keep? ⁹

Full Life Ahead Workbook describes several kinds of records you might want to keep.

Personal Records

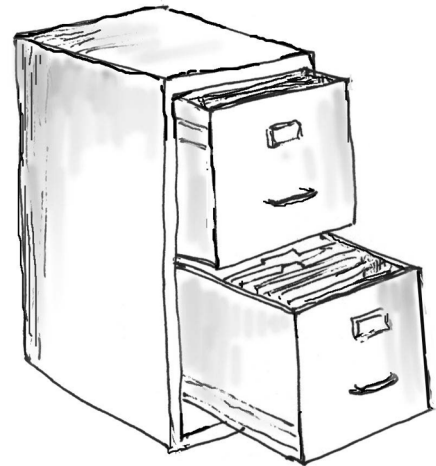
- Birth certificate
- Social Security card
- Emergency contact information

Medical Records

- Names and addresses of doctors, dentists, etc.
- Insurance information
- Medications taken
- Immunization record
- Medical reports and evaluations
- Special medical conditions with diagnoses and date diagnosed
- Allergies to medicines or drugs
- Emergency contact information

Education Records

- Report cards and progress reports
- IEP or other plans
- Results of educational tests
- School names, addresses and dates attended
- diploma
- Awards received
- Courses taken
- Participation in clubs or sports



Work/Vocational Records

- Places you have worked with names, addresses and phone numbers
- Work evaluations
- Letters of reference
- List of names, addresses and phone numbers of people who have agreed to be a reference for you
- Volunteer experiences
- Vocational assessment results
- Vocational courses taken

17. A PLACE TO KEEP YOUR RECORDS

Full Name _____

Place and Date of Birth _____

Social Security Number _____

Complete Address, Phone and Email _____

Complete Name of Parents/Guardians and Their Relationship to You _____

Contact Information of Parents/Guardians _____

List of agencies that provide services to you; include name, address, phone number and person who works with you _____

Medical

Names of doctors, dentists, etc. _____

Types of medications you are taking or have taken _____

Allergies to drugs or foods _____

Type of immunizations and date _____

Types of diagnosis and dates

Types of surgeries or hospital stays (include dates)

Insurance information

Emergency contact information

Educational

Date of IEP plans or other plans

Educational tests taken, results and dates

Schools attended address and years attended

diploma and awards received

Specialized courses taken

Work/Vocational Records

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, leaving small gaps between them. There are no margins, text, or other markings on the paper.

Section 18: List Of Terms With Definitions

Adjudicated – to make a decision about guilt or innocence of a crime

Affidavit – a written pledge about knowledge of an event made before an authorized official

Alcoholism – a disease that includes repeated use of too much alcohol that reduces one's ability to interact with people and work

Americans with Disability Act (ADA) – this law was enacted in 1990 by Congress to protect the rights of person with disabilities

Assertive – standing up for one's rights

Assistive Technology – anything homemade, purchased off the shelf, modified, or available at the store, which is used to help an individual perform some task of daily living

Child and Family Team – a group of people that meets with a child and family to set goals and plan services

Class of Offenses – See Appendix A

Chlamydia – a common sexually transmitted disease (STD) caused by the bacterium, chlamydia trachomatis, which can damage a woman's reproductive organs: it often has no symptoms

Civil Rights – or positive rights are those legal rights held by citizens and protected by the government. Examples include the right to vote and anti-discrimination/unfairness laws

Confidentiality – keeping information private and not sharing with others unless given permission

Consent – to give permission

Delinquent Acts – criminal actions; behaviors that break the law

Depressants – drugs that cause the body to slow down and relax; these drugs can also make you drowsy, slow your heart rate, and breathing

Detention Facility – a place where someone is confined

Disclosure – the act of telling or making known

Disposition – a final decision; the final result of a criminal case; this may be by a finding of guilty, not guilty, dismissal or a plea of no contest

Divert – send on a course, or in a direction different from the planned or intended one

Divertible Offenses – a crime that does not get the usual sentence or consequence

Emancipated – legally freed from parental control

Employment Certificate (Work Permit) – in this instance, it is a document that proves that a youth is at least sixteen years old and has gained permission to work

Eligible – qualified for, or allowed, or worthy of being given a certain service

Equal Employment Opportunity Commission – the government agency which manages and watches over all rules, regulations, laws and governing practices about hiring and employment standards in the United States

Expunge – to destroy or eliminate

Fair Labor Standards Act (FLSA) – the federal law which sets minimum wage, overtime pay, equal pay, record keeping and the child labor standards for employees who are covered by the Act

Family Education and Rights Privacy Act – the Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records

Federal Deposit Insurance Corporation (FDIC) – The federal program that protects consumers by providing insurance for bank deposits in the event that a bank becomes broke/ loses all its money

Felonies – very serious crimes; crimes which are commonly considered to be felonies include: aggravated assault, arson, burglary, murder, and rape

Gonorrhea – a contagious bacterial infection caused by the bacterium neisseria gonorrhea spread through sexual contact, including vaginal, oral or anal sex. Also called "the clap," it is one of the most commonly infectious diseases in the world.

Guardian Ad Litem – a person assigned to protect the specific interests of the children

Hallucinogens – various kinds of drugs that change sensitivity, thoughts, and feelings. hallucinogenic drugs include LSD, mescaline, MDMA (ecstasy), PCP, and psilocybin (magic mushrooms).

Hearing – an opportunity to be heard; a legal examination of charges

Herpes – a viral infection that causes the skin to erupt in blisters on the genitals or mouth; most frequently transmitted by the fluid within blisters come into contact with mucus membranes (sex organs, mouth or nose), open sores, or cut.

Human Immunodeficiency Virus (HIV) – a virus that steadily weakens the body's defense (immune) system until it can no longer fight off infections such as pneumonia, tumors and other illnesses

Human Papilloma Virus (HPV) – a group of viruses that can cause infection in the skin surface of different areas of the body including the genital area; the virus can cause visible warts of the skin or may only cause tiny changes in the cells of the skin

Individual Education Program – a written plan for youth with disabilities that identifies a youth's strengths, needs, education and related supports and services

Individual Transition Plan (ITP) – is the section of the Individualized Education Program (IEP) that outlines transition goals and services for the high school student

Inhalants – refers to more than a thousand different household and commercial products that can be intentionally abused by sniffing or "huffing" (inhaling through one's mouth) for an intoxicating effect

Jury – a group of citizens sworn to hear testimony and evidence at a trial and decide if the defendant is guilty or not of committing the crime(s)

Jury Duty – the act of being a member of a jury

Juvenile – a youth under the age of 18 who is not married, has not been emancipated (not legally freed from parental control) and is not enrolled in the arm forces

Juvenile Justice System – juvenile justice is criminal law applied to persons not old enough to be held responsible for criminal acts, usually; the age for criminal responsibility is 18

Lose Control Lose Your License Law – this law will suspend a student's permit or license for a one-year period. The legislation directs public schools, community colleges, and non-public schools to notify the North Carolina Division of Motor Vehicles whenever a student is given an expulsion, suspension for more than 10 consecutive days or an assignment to an alternative educational setting for more than 10 consecutive

Non-divertible Offenses – criminal acts that cannot be given alternative sentences

North Carolina Drug Paraphernalia Law – it is illegal for any person to knowingly use, or possess with the intention of using, drug supplies. It is also illegal to plant, distribute, grow, convert, produce, process, prepare, test, analyze, package, repackage, store, contain, or conceal an illegal substance (drug).

North Carolina Juvenile Code – laws that protect the public from acts of delinquency; to deter delinquency and crime, including patterns of repeated crimes; to ensure that court only intervenes where necessary to ensure public safety; and to provide uniform procedures that assure fairness and equity and protect the constitutional rights of all parties

Mandatory – required. Being commanded to do or obtain something

Marijuana – also called weed, pot, reefer, grass, dope, ganja, maryjane, and hash – is the drug most often used in this country. It is a mix of dried, shredded flowers and leaves of the hemp plant (*Cannabis sativa*).

Methamphetamine – a man-made stimulant drug which creates a strong feeling of excitement and is highly addictive; pure methamphetamine is a colorless crystalline solid, sold on the streets as glass, ice, or crystal.. It is also sold as less pure crystalline powder termed crank or speed

Opiates – medication or illegal drug that is either derived from the opium poppy, or that mimics the effect of an opiate (a synthetic opiate); opiate drugs are narcotic sedatives that depress activity of the central nervous system, reduce pain, and induce sleep.

Petition – document filed in juvenile court claiming that a juvenile is a delinquent and asking that the court take control over the juvenile or that a suspected delinquent juvenile be transferred to criminal court for trial as an adult

Probation – a period of time when a minor is under the supervision of a Juvenile Justice Counselor and is monitored

Provisional – probationary: under terms not final or fully worked out or agreed upon

Register of Deeds – an office where documents are recorded

Rehabilitation Act, 1973 – The Rehabilitation Act of 1973 funds vocational rehabilitation, employment and independent living programs in the states

Revoked – to take back or withdraw

Self-advocacy – speaking and acting for oneself to protect one's rights and needs

Self-reliant – dependent on oneself or one's own powers or resources

Subpoena – written order requiring a person to appear in court at a specific date to give testimony

Syphilis – sexually transmitted infectious disease caused by the spirochete bacterium *treponema pallidum*. Primary syphilis is characterized by non-painful chancre or sores in the mouth or on the anus or genital area

Stimulants – drugs that increase the activity of the nervous system: causing wakefulness. Caffeine, cocaine and amphetamines are examples of stimulants

The North Carolina Compulsory Law – this law requires all children between the ages of five and sixteen to attend school for six months out of every year (180 days)

Training School – jail: correctional institution for the detention and discipline and training of young or first offenders

Truancy – staying away from school without permission

Wage and Hour Act (WHA) – this law covers protection of employees including, minimum wages; overtime; wage payment of promised wages and benefits, such as vacation, holiday and sick pay and youth employment.

Section 19: Additional Information And Assistance

State Resources

Autism Society of North Carolina

505 Oberlin Rd., Suite 230
Raleigh, NC 27605-1345
919-743-0204
<http://www.autismsociety-nc.org/>

Exceptional Children's Assistance Center

907 Barra Row, Suite 102/103
Davidson, NC 28036
1-800- 962-6817
<http://www.ecac-parentcenter.org>

Family Support Network

200 N. Greensboro Street
Carr Mill Mall
2nd Floor, Suite D-9
Carrboro, NC 27510
1-800-852-0042
<http://fsnnc.med.unc.edu/>

Governor's Advocacy Council for Persons with Disabilities

2113 Cameron St., Suite 218
Raleigh, NC 27605
919-733-9250
<http://www.gacpd.com/>

Learning Disabilities Association of North Carolina

PO Box 3542
Chapel Hill, NC 27515
919-493-5362
<http://ldanc.home.mindspring.com/>

Mental Health Association of North Carolina

3829 Bland Rd.
Raleigh, NC 27609
919-981-0740
<http://www.mha-nc.org/>

National Alliance for the Mentally Ill (NAMI) NC

309 W. Millbrook Rd., Suite 121
Raleigh, NC 27609
800-451-9682
<http://www.naminc.org/>

North Carolina Coalition for Persons Disabled by Mental Illness

C/o NCPA
1004 Dresser Court, Suite 106
Raleigh, NC 27609
919-872-1005
<http://www.cpdmi.org/>

**North Carolina Council of Community Mental Health Developmental Disabilities
Substance Abuse Programs**

1318 Dale St., Suite 120
Raleigh, NC 27605
919-730-0680
<http://www.nc-council.org>

North Carolina Department of Health and Human Services

Division of Mental Health, Developmental Disabilities and Substance
Abuse Services (MH/DD/SAS)

325 N. Salisbury St.
Raleigh, NC 27603
919-733-0598
<http://www.dhhs.state.nc.us/>

Division of Social Services

325 N. Salisbury St.
Raleigh, NC 27603
919-733-3030
<http://www.dhhs.state.nc.us/dss/>

Division of Youth Services

705 Palmer Dr.
Raleigh, NC 27603
919-733-3011

NC Council on Developmental Disabilities

1001 Navaho Drive, Suite GL-103
Raleigh, NC 27609
919-420-7901
<http://www.dhhs.state.nc.us/docs/division>

NC Division of Vocational Rehabilitation Services

2801 Mail Service Center
Raleigh, NC 27699-2801
Location: 805 Ruggles, Raleigh
919-855-3500
<http://www.dhhs.state.nc.us/docs/division.htm#vocrehab>

Public Schools of North Carolina, Department of Public Instruction

301 N. Wilmington St.
Raleigh, NC 27601
919-715-1565 (main number)
<http://www.dpi.state.nc.us/>

Transition Contact

This is the state agency staff member assigned primary responsibility for secondary education and transition services within a state or territory. Some states have more than one transition contact.

Freda Lee

Exceptional Children Division
North Carolina Department of Public Instruction
615 Raleigh Road
Wilson, NC 27893 2825
919-807-3989 (Phone)
flee@dpi.state.nc.us (E-mail)
<http://www.ncpublicschools.org/ec/> (Web)

Office of Citizen and Community Services

Office of the Governor
116 W. Jones St.
Raleigh, NC 27603-8003
919 -733-2391
1-800-662-7952

Local Parent and Youth Advocacy Groups

First In Families of North Carolina

PO Box 1665
Durham, NC 27702-1665
919-781-3616 ext. 223
fifnc@fifnc.org

The Arc of North Carolina

4200 Six Forks Rd, Suite 100
Raleigh, NC 27609
800.662.8706 / 919.782.4632
info@arcnc.org



National Alliance for the Mentally Ill (NAMI)

215 Like Hills Rd.
Pinehurst, NC 28374
910-295-3659

Powerful Youth Friends United

The Youth Initiative of NC Families United
Contact: Kelly Jones, Youth Coordinator, 336- 317-1271 or kjones4powerfuleyouth@earthlink.net or
Susan Suda at 704 892-1321 or ssuda@ecacmail.org
704 Barra Row, Suite 102/103
Davidson, NC 28036.

North Carolina Families United

704 Barra Row, Suite 102/103
Davidson, NC 28036.
910-331-6092 cell

Easter Seals UCP

2315 Myron Drive
Raleigh, NC 27607
(919) 783-8898
<http://nc.easterseals.com/>

SAYSO

Youth in Foster Care
800-820-0001
<http://nc-sayso>

National Resources

Federation of Families for Children's Mental Health

9605 Medical Center Drive
Suite 280
Rockville, MD 20850
www.ffcmh.org

National Alliance for the Mentally Ill – Child and Adolescent Network

2001 N. Beauregard Street, 12th Floor
Alexandria, VA 22311
www.nami.org/youth

National Mental Health Association

1021 Prince St.
Alexandria, VA 22314-2971
800-969-6642

Parent Advocacy Coalition for Educational Rights (PACER)

4826 Cherry Ave. South
Minneapolis, MN 55417-1098
612-827-2966

For more specific information about ADA requirements affecting employment contact:

Equal Employment Opportunity Commission

1801 L. Street, NW
Washington, DC 20507
(202) 663-4900 (Voice)
(800) 800-3302 (TDD)

For more information about ADA requirements affecting public accommodations and state and local government services contact:

Department of Justice

Office of Americans with Disabilities Act
Civil Rights Division
PO Box 66118
Washington, DC 20035-6118
(202) 514-0301 (voice)
(202) 514-0381 (TDD)
(202) 514-6193 (Electronic Bulletin Board)

For more specific information about ADA requirements affecting public accommodations and state and local government services contact:

Department of Justice

Office on the Americans with Disabilities Act
Civil Rights Division
P.O. Box 66118
Washington, DC 20035-6118
(202) 514-0301 (Voice)
(202) 514-0381 (TDD)
(202) 514-6193 (Electronic Bulletin Board)

For more specific information about ADA requirements affecting transportation contact:

Department of Transportation

400 Seventh Street, SW
Washington, DC 20590
(202) 366-9305
(202) 730-7687 (TDD)

For more specific information about ADA requirements for telecommunications contact:

Federal Communications Commission

1919 M. Street, NW
Washington, DC 20304
(202) 632-7260
(202) 632-6999 (TDD)

To contact the EEOC, look in your telephone directory under U.S. Government. For information and instructions on reaching your local office, call:

(202) 663-4900 (Voice)
(800) 800-3302 (TDD)
(In the Washington, D.C. 202 Area Code, call 202-663-4494 (TDD))

National AIDS Hotline

1-800-342-AIDS

Coalition Against Sexual Assault

1-888-737-2272

Nationwide Domestic Violence

Information and Referral
1-800-799-7233

The Rape, Abuse, Incest National Network (RAINN)

24-hour counseling and crisis line
1-800-656-4673

To receive more information about the civil rights of students with disabilities in education institutions, contact:

Customer Service Team
Office for Civil Rights
U.S. Department of Education
Washington, D.C. 20202-1100
Phone: 1-800-421-3481
TDD: 1- 877-521-2172
Email: ocr@ed.gov
Web site: www.ed.gov/ocr

Focus Adolescent Services An Internet Clearinghouse of Information, Resources and Support.

<http://www.focusas.com/index.html>

Parent Center Resources on Person-Centered Planning

- PACER Center: <http://www.pacer.org/tatra/personal.htm>
- PEATC: http://www.peatc.org/NEXT_STEPS/Intro/brief.htm
- IMPACT: Transition to Empowered Lifestyles Project Person-Centered Planning:
<http://www.ptimpact.com>

The Web site to find your legislator is

<http://www.ncgov.com/>

Click on Citizen and then click on Government Officials. You may also call your local Board of Elections. You can find the number in your phone book.

Parents Guide to Helping Kids with Learning Difficulties

www.SchwabLearning.org

Appendix A

MAXIMUM PUNISHMENTS AND SAMPLE OFFENSES FOR USE AT FIRST APPEARANCES AND ARRAIGNMENTS [FOR OFFENSES COMMITTED ON OR AFTER 12/1/99]

CLASS A FELONIES	Maximum Punishment of Death or Life Without Parole
Murder, First Degree (14-17)	
CLASS B1 FELONIES	Maximum Punishment of Life Without Parole
Rape, First Degree (14-27.2)	Sexual Offense, First Degree (14-27.4)
CLASS B2 FELONIES	Maximum Punishment of 479 Months
Murder, Second Degree (14-17)	
CLASS C FELONIES	Maximum Punishment of 261 Months
Habitual Felon (14-7.6)	Assault W/D/W/I/K/I/S/I (14-32(a))
Rape, Second Degree (14-27.3)	Kidnapping, First Degree (14-39)
Sexual Offense, Second Degree (14-27.5)	Embezzlement (amount involved \$100,000 or more) (14-90)
CLASS D FELONIES	Maximum Punishment of 229 Months
Voluntary Manslaughter (14-18)	Arson, First Degree (14-58)
Malicious Use of Explosive or Incendiary (14-49(a))	Armed Robbery (14-87)
Burglary, First Degree (14-51)	Sell or Deliver a Controlled Substance to a Person Under 16 But More Than 13 Years of Age (90-95(e)(5))
CLASS E FELONIES	Maximum Punishment of 98 Months
Intercourse and Sexual Offenses with Certain Victims (Substitute Parent/Custodian) (14-27.7)	Assault with a Firearm on a Law Enforcement Officer (14-34.5)
Assault W/D/W/I/S/I (14-32(b))	Kidnapping, Second Degree (14-39)
Assault W/D/W/I/K (14-32(c))	Child Abuse I/S/I (14-318.4)
Discharging Weapon Into Occupied Property (14-34.1)	Sell or Deliver a Controlled Substance Within 300 Feet of a School (90-95(e)(8))
CLASS F FELONIES	Maximum Punishment of 59 Months
Involuntary Manslaughter (14-18)	Burning of Certain Other Buildings (14-62)
Assault Inflicting Serious Bodily Injury (14-32.4)	Incest Between Certain Near Relatives (14-178)
Assault W/D/W on a Governmental Officer or Employee (14-34.2)	Indecent Liberties with Children (14-202.1)
Malicious conduct by Prisoner (14-258.4)	Assault on a Law Enforcement Officer (14-34.7)
Possess Weapon of Mass Destruction (14-288.8)	Felonious Restraint (14-43.3)
Habitual Impaired Driving (20-138.5)	

CLASS G FELONIES	Maximum Punishment of 44 Months
Burglary, Second Degree (14-51)	Possession of Firearms, etc., by Felon (14-415.1)
Arson, Second Degree (14-58)	Death by Vehicle (20-141.4)
Common Law Robbery (14-87.1)	Sale of a Schedule I or II Controlled Substance (90-95(a)(1))
CLASS H FELONIES	Maximum Punishment of 30 Months
Habitual Misdemeanor Assault (14-33.2)	Obtaining Property by False Pretenses (amount involved less than \$100,000) (14-100)
Breaking or Entering Buildings (14-54(a))	Intimidating/Interfering with Witnesses (14-226)
Fraudulently Setting Fire to Dwelling House (14-65)	Hit and Run Involving Personal Injury/Death (20-166(a))
Possessing Stolen Goods Worth More than \$1,000 (14-71.1)	Sale of a Schedule III, IV, V, or VI Controlled Substance (90-95(a)(1))
Larceny of Property Worth More than \$1,000 (14-72)	Possession W/I/M/S/D Cocaine (90-95(a)(1))
Embezzlement (amount involved less than \$100,000) (14-90)	Escaping From State Prison System (felon) (148-45(b))
CLASS I FELONIES	Maximum Punishment of 15 Months
Breaking or Entering Motor Vehicles (14-56)	Possession W/I/M/S/D Marijuana (90-95(a)(1))
Financial Transaction Card Theft (14-113.9)	Possess Cocaine (90-95(a)(3))
Forgery of Notes, Checks, Securities (14-119)	Maintain Dwelling or Motor Vehicle for Keeping or
Uttering Forged Paper or Instrument (14-120)	Selling a Controlled Substance (90-108(a)(7),(b))
Obtain a Controlled Substance by Fraud (90-108(a)(10),(b))	
CLASS AI MISDEMEANORS	Maximum Punishment of 150 Days
Assault Inflicting Serious Injury or Using a Deadly Weapon (14-33(c)(1))	Assault on a State Officer or Employee (14-33(c)(4))
Assault On a Female (14-33(c)(2))	Assault by pointing a gun (14-34)
Assault on a Child Under 12 Years of Age (14-33(c)(3))	Violation of a valid protective order (50B-4.1)
CLASS I MISDEMEANORS	Maximum Punishment of 120 Days
Breaking or Entering Buildings (14-54(b))	Willful Injury to Real Property (14-127)
Larceny of Property Worth \$1,000 or Less (14-72)	Communicating Threats (14-277.1)
Unauthorized Use of a Motor Vehicle (14-72.2)	Possession of Drug Paraphernalia (90-113.22)
Worthless Check/Closed Account (14-107(4))	Misrepresentation to Obtain Employment Security Benefits (96-18)

CLASS 2 MISDEMEANORS**Maximum Punishment of 60 Days**

Simple Assault/Assault and Battery (14-33(a))

Failure to Return Rental Property (14-167)

Obtaining Property in Return for Worthless Check (14-106)

Using Profane, Indecent or Threatening Language to Any Person Over Telephone (14-196)

Worthless Check/\$2,000 or Less (14-107(1))

Resisting Officers (14-223)

Trespass, First Degree (14-159.12)

Carrying Concealed Weapons (14-269)

Willful Injury to Personal Property (14-160(a))

Disorderly Conduct (14-288.4)

CLASS 3 MISDEMEANORS**Maximum Punishment of 20 Days**

Concealment of merchandise in mercantile establishments (first conviction) (14-72.1)

Operate Motorboat Without Lifesaving Device (75A-6)

Trespass, Second Degree (14-159.13)

Hunting Without a License (113-270.2)

Intoxicated and Disruptive in Public (14-444)

Fishing Without a License (113-271)

Unsealed Wine/Liquor in Passenger Area (18B-401)

Possess Marijuana (" ounce or less) (90-95(a)(3))

CONSPIRACY to commit an offense is classified as one class lower than the offense the person conspired to commit. (14-2.4)

ATTEMPT to commit an offense is classified as one class lower than the offense the person attempted to commit. (14-2.5)

SOLICITATION to commit an offense is classified as two classes lower than the offense the person solicited the other person to commit. (14-2.6)

ACCESSORY BEFORE THE FACT punishable as the principle felon. (14-5.2)

ACCESSORY AFTER THE FACT punishable as two classes lower than the felony the principle felon committed. (14-7)

Citations

- ¹ System of Care in North Carolina: Handbook for Parents, Triangle Training & Communication Associates, Inc.,
- ² System of Care in North Carolina: Handbook for Parents, Triangle Training & Communication Associates, Inc.,
- ⁴ Full Life Ahead: A workbook and guide to adult life for youth and families of youth with disabilities, 2001
- ⁵ Full Life Ahead: A workbook and guide to adult life for youth and families of youth with disabilities, 2001
- ⁶ Full Life Ahead: A workbook and guide to adult life for youth and families of youth with disabilities, 2001
- ⁷ Your Rights and Responsibilities: A Handbook for North Carolina Youth, Fall 2000
- ⁸ Your Rights and Responsibilities: A Handbook for North Carolina Youth, Fall 2000
- ⁹ Full Life Ahead: A workbook and guide to adult life for youth and families of youth with disabilities, 2001. pg. 44.